



**LUMMI INDIAN BUSINESS COUNCIL**  
2665 Kwina Road, Bellingham WA 98226. (360) 312-2000  
Natural Resources Department. fisheryregulations@lummi-nsn.gov

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**2024-023D N CPS GEODUCK 4.6 REGULATION**

Filing Date:  
3/27/2024

Supersedes Reg:  
2024-011C

Filing Organization: Lummi

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**EFFECTIVE DATES** 3/27/2024 to 3/31/2025

**AFFECTED ORGANIZATIONS** Port Gamble S'Klallam Tribe, Jamestown S'Klallam Tribe, Lower Elwha Klallam Tribe, Suquamish Tribe, Point No Point Treaty Council, Tulalip Tribes, Swinomish Indian Tribal Community, Washington Department of Fish and Wildlife, Washington Department of Natural Resources, and Washington Department of Health.

**CATCH AREA** Geoduck Tract 04950, Foulweather East

**SPECIES** Geoduck Clam (*Panopea generosa*)

**LEGAL GEAR** Divers with hand-held manually operated water jet, with a water jet nozzle 5/8 inch inside diameter or less.

**FISHERY TYPE** Commercial

**DAYS/HOURS BY GEAR** This fishery will open pending results of PSP biotoxin sampling and favorable weather conditions.

OPEN April 14, 2024

CLOSE March 31, 2025, or when Lummi's share of quota is taken, whichever comes first.

Target Harvest Dates/ Hours

7 AM- March 18th, 2025 to

4 PM- March 18th, 2025

7 AM- March 19th, 2025 to

4 PM- March 19th, 2025

**TARGET HARVEST** 16,980 lbs

3-5 : 4,758

3-7 : 4,730

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7,492 lbs remaining

## RESTRICTIONS

1. Harvest limited to harvest objective identified above. The February 2019 version of the Lummi Nation Commercial Harvest Diving Standards (hereafter, the standards) must be observed pursuant to Regulation 2019-09. Parties participating in dive harvest operations must be classified by the Lummi Natural Resources Department (LNR) pursuant to the standards and Regulation 2019-09. Unless otherwise directed by LNR, the fleet will meet with an LNR representative to receive information packets concerning the fishery prior to opening. Information packets include a tract map indicating tract corner points in Lat/Long, tide corrections and predicted tides, copy of LNR regulation, copy of LNR Hotline bulletin, monitor log, and shellfish sanitation information.
2. All commercial geoduck harvesters will be verified by LNR staff and/or other monitors.
3. All harvesters must provide information requested by LNR staff, the monitors, and LNR enforcement officers monitoring the fishery.
4. Diving will be restricted to that portion of the tract marked on a map with outside corner coordinates provided by LNR to each vessel prior to the opening.
5. Diving activities must take place during daylight hours only.
6. No harvester shall begin the harvest until the anchor is set and the vessel's latitude and longitude is confirmed to be inside the tract boundaries provided by LNR staff and/or the monitors.
7. Lummi geoduck fisheries are normally completed in consecutive days. The first day is a "derby-style" opener typically closing by 3:00 p.m. All divers must be out of the water when the tract closes, with vessels returning to port shortly thereafter. The second day may also be conducted "derby-style" if there are sufficient pounds remaining in the tribal share to warrant that. Alternatively, the second day may be conducted as a "mop-up" fishery. In this case, if there are pounds remaining to be harvested the second day, the remaining pounds are split equally amongst the vessels present during the "mop-up". The "mop-up" also closes typically no later than 4:00 p.m., with vessels returning to port shortly thereafter.
8. The on-site LNR monitor makes the determination to close the tract based on his or her catch-accounting for the fishery.
9. A reduction or an extension may be issued based on input from the Lummi Fisheries and Natural Resources Commission and market forces, including previously-scheduled overseas flights.
10. Any vessel and/or harvester that exceeds their mop-up share by 10% or more will forfeit the overage to LNR staff and/or Lummi enforcement officers and may face additional penalties in future openers. Proceeds from the sale of mop-up overages typically benefit the Lummi Elders Program.
11. All harvest must be reported to the monitor upon sorting and placement into crates, and a monitor tag with all of the information required shall be filled out and inserted in the geoduck crate.
12. All sales will be to a WDOH certified shellfish buyer.
13. Harvesters may not sell out until LNR staff and/or a monitor is present to oversee the sale.
14. All sales will be recorded on Treaty Indian Fish Receiving Tickets and counter signed by LNR staff and/or the monitor, and shall include any additional information required by applicable NSSP, MO provisions.
15. All provisions of the Geoduck Dive Harvest Operations plan filed with the WDOH must be followed with respect to applicable NSSP, MO provisions therein identified.
16. Harvest will be prohibited in depths greater than -70 feet uncorrected and less than -18 feet corrected to mean lower low water, or when eel grass extends below the corrected -18 foot level harvesting shall be at least 2 vertical feet deeper and seaward of eelgrass beds.
17. Must observe all provisions of Title 10.

## CATCH MONITORING

Harvest of geoduck shall be monitored by Natural Resources Staff and/or Natural Resources Enforcement Officers to ensure that landings by treaty harvesters do not exceed the agreed allocations.

## EXPECTED EFFORT

10 vessels and 20 divers

**CELL NUMBERS**

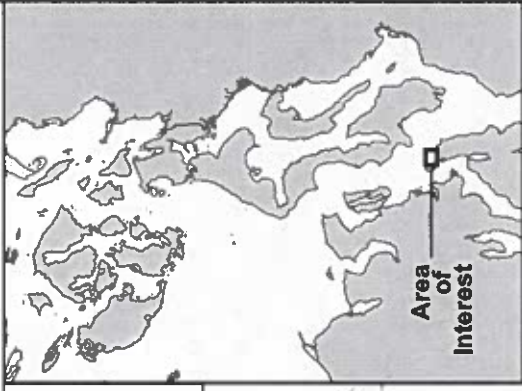
Contact Sgt. Ed Conway (360-410-6813) for onsite enforcement information. Contact Thomas Olsen (360-441-2113), or Megan Russell (206-948-1016) for off-site information.

**JUSTIFICATION**

This is a SIP 4.6 opening notice as there is currently no signed co-management plan (i.e., the 2024-2025 North Central Puget Sound Region Harvest Management Plan for the Subtidal Geoduck Clam (*Panopea generosa*) Fishery) and is promulgated pursuant to Chapter 10.6 of the Lummi Natural Resources Code

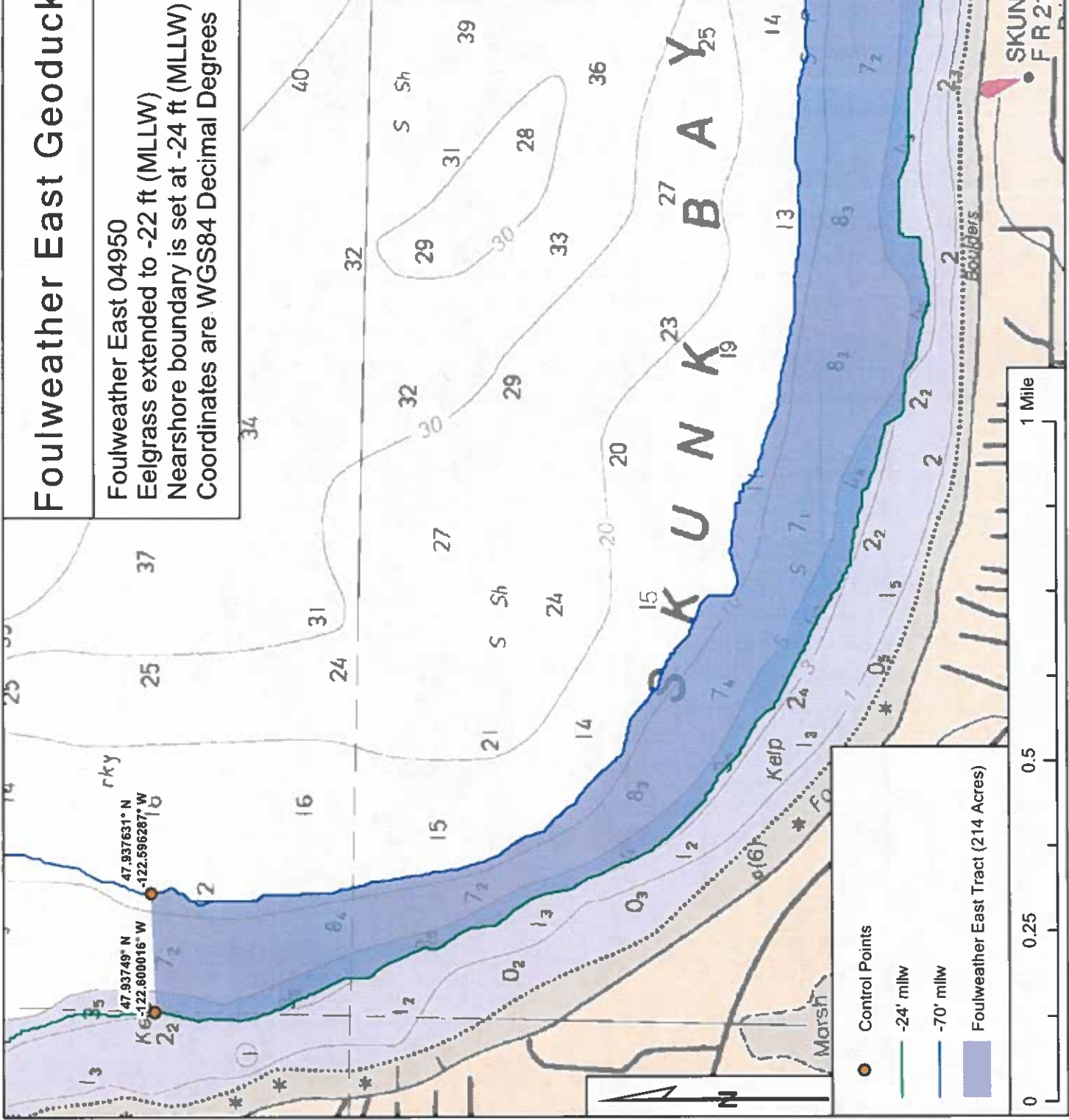
# Foulweather East Geoduck Tract #04950

Foulweather East 04950  
 Eelgrass extended to -22 ft (MLLW)  
 Nearshore boundary is set at -24 ft (MLLW)  
 Coordinates are WGS84 Decimal Degrees



**Swinomish Indian Tribal Community**

The Swinomish Indian Tribal Community makes no claim as to the completeness, accuracy or content of any data contained herein. Locational information is approximate only, and does not represent exact cartographic data. This map is not intended to reflect the exterior boundaries of the Swinomish Indian Reservation. No part of this document may be reproduced without prior permission of the Swinomish Indian Tribal Community.



**Control Points**

- Orange dot: Control Points
- Green line: -24' mllw
- Blue line: -70' mllw
- Blue shaded area: Foulweather East Tract (214 Acres)

State of Washington  
Department of Health  
Office of Environmental Health & Safety

SHELLFISH OPERATION LICENSE AND CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY that the

LUMMI INDIAN BUSINESS COUNCIL

establishment owned or operated by

**MERLE JEFFERSON**

located at

3801-B KWINA RD

BELLINGHAM, WA 98226

has been inspected and found to meet the sanitary requirements of Chapter 69.30 RCW and the rules and regulations of the State Board of Health, and is hereby licensed as a commercial shellfish operation. A certificate of approval as prescribed in Chapters 69.30 RCW and 246-282 WAC is hereby granted for the harvesting of shellfish for human consumption from the following general location(s):

**Certified Tribal Harvest Areas for the Lummi Tribe**

Printed on: 6/5/2024  
Effective beginning: 7/1/2024  
License No: 0098  
Washington Cert No: WA-0098-SS

*Todd Phillips, R.S.*

for Todd Phillips R.S., Director  
Office of Environmental Health and Safety

**This license/certificate expires June 30, 2025, and is revocable and NOT transferable.**

**NSSP Growing Area: Eliza Island**

Application Number	MWSS Number and Classification	Site Number	Lease Expires	Signed CAAMP on file	Certification Date
2014-458	62 Approved Owner: Harvest Type: Wild	Geoduck Tract: 02990 -X-bed Species: Geoducks	Acre: 54.00	N/A	12/18/2014 Site ID:

**NSSP Growing Area: Foulweather Bluff East**

Application Number	MWSS Number and Classification	Site Number	Lease Expires	Signed CAAMP on file	Certification Date
2020-73	854 Approved Owner: Harvest Type: Wild Comments: Biotxin Required Lot Testing, subtidal scallop harvest	Other: Approved Scallop Harvest Area: Foulweather Bluff East Species: Scallop	Acre: 387.50	N/A	02/12/2020 Site ID:
2023-150	855 Approved Owner: Harvest Type: Wild	Geoduck Tract: 04950 -Foulweather East Species: Geoducks	Acre: 140.00	N/A	04/07/2023 Site ID:

**NSSP Growing Area: Kingston**

Application Number	MWSS Number and Classification	Site Number	Lease Expires	Signed CAAMP on file	Certification Date
2002-128	531 Approved Owner: Harvest Type: Not Specified	Geoduck Tract: 06250 -Apple Cove Point North Species: Geoducks	Acre:	N/A	04/29/2002 Site ID:

**NSSP Growing Area: Lummi Bay**

Application Number	MWSS Number and Classification	Site Number	Lease Expires	Signed CAAMP on file	Certification Date
1999-571	38 Approved Owner: LUMMI INDIAN BUSINESS COUNCIL Harvest Type: Not Specified Comments: 20A-S1C	Parcel: Whatcom 20AS1C Species: Littleneck Clams, Manila Clams, Pacific Oysters	Acre: 0.00	N/A	07/21/1999 Site ID: 20A-S1C

**Corrections to Hansville tides to accommodate harvesting between –24 ft MLLW and –70 ft MLLW at the Foulweather East geoduck tract (#04950)**

<b>Tuesday 3/18/2025</b>				
<b>Height (ft)</b>	<b>Tide</b>	<b>Time</b>	<b>Shallow end of tract (ft)*</b>	<b>Deep end of tract (ft)*</b>
5	L	1:44 am	29	75
10	H	7:31 am	34	80
1	L	2:14 pm	25	71
9	H	9:01 pm	33	79

\* Depth that will appear on divers' depth gauges.

<b>Wednesday 3/19/2025</b>				
<b>Height (ft)</b>	<b>Tide</b>	<b>Time</b>	<b>Shallow end of tract (ft)*</b>	<b>Deep end of tract (ft)*</b>
6	L	2:22 am	30	76
9	H	7:57 am	33	79
0	L	2:52 pm	24	70
9	H	9:56 pm	33	79

\* Depth that will appear on divers' depth gauges.

**Extra days prepared in case of weather delays**

<b>Thursday 3/20/2025</b>				
<b>Height (ft)</b>	<b>Tide</b>	<b>Time</b>	<b>Shallow end of tract (ft)*</b>	<b>Deep end of tract (ft)*</b>
7	L	3:06 am	31	77
9	H	8:25 am	33	79
1	L	3:37 pm	25	71
9	H	11:04 pm	33	79

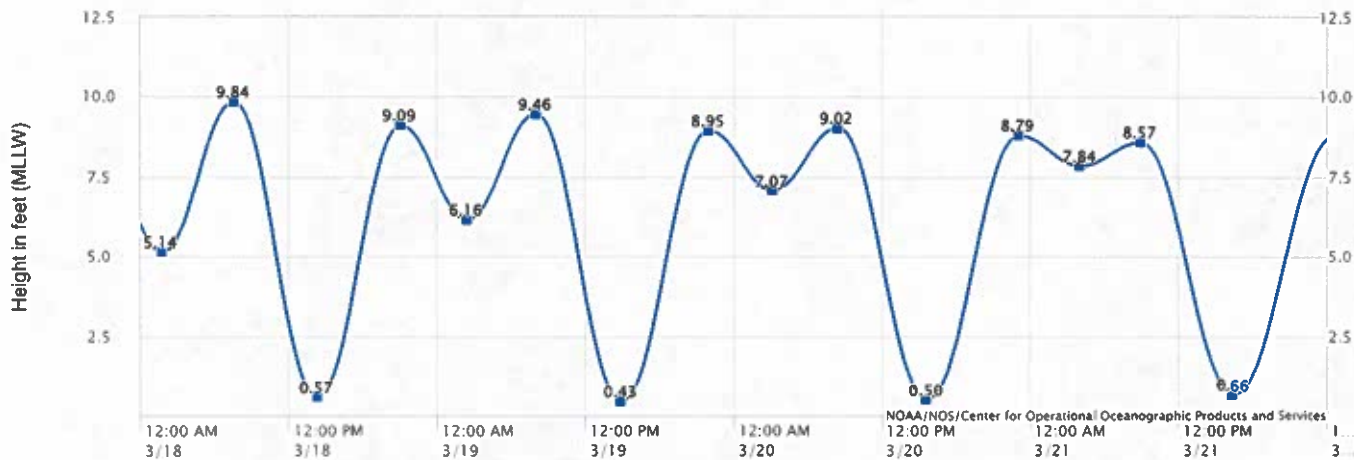
\* Depth that will appear on divers' depth gauges.

<b>Friday 3/21/2025</b>				
<b>Height (ft)</b>	<b>Tide</b>	<b>Time</b>	<b>Shallow end of tract (ft)*</b>	<b>Deep end of tract (ft)*</b>
8	L	4:03 am	32	78
9	H	8:55 am	33	79
1	L	4:29 pm	25	71

\* Depth that will appear on divers' depth gauges.



**NOAA/NOS/CO-OPS**  
**Tide Predictions at 9445526, HANSVILLE WA**  
**From 2025/03/18 12:00 AM LST/LDT to 2025/03/21 11:59 PM LST/LDT**  
**Subordinate Station | Ref. Station (Seattle 9447130) | Time offsets (high: -7 min. low: -8 min.) | Height offsets (high: \*0.92 ft. low: \*0.98ft.)**



Note: The interval is High/Low, the solid blue line depicts a curve fit between the high and low values and approximates the segments between.  
 Disclaimer: These data are based upon the latest information available as of the date of your request, and may differ from the published tide tables.

**High/Low Tide Prediction Data Listing**

Station Name: HANSVILLE, WA  
 Action: Daily  
 Product: Tide Predictions  
 Start Date & Time: 2025/3/18 12:00 AM  
 End Date & Time: 2025/3/21 11:59 PM

Source: NOAA/NOS/CO-OPS  
 Prediction Type: Subordinate  
 Datum: MLLW  
 Height Units: Feet  
 Time Zone: LST/LDT

Date	Day	Time	Hgt	Time	Hgt	Time	Hgt	Time	Hgt
2025/03/18	Tue	01:44 AM	5.14 L	07:31 AM	9.84 H	2:14 PM	0.57 L	9:01 PM	9.09 H
2025/03/19	Wed	02:22 AM	6.16 L	07:57 AM	9.46 H	2:52 PM	0.43 L	9:56 PM	8.95 H
2025/03/20	Thu	03:06 AM	7.07 L	08:25 AM	9.02 H	3:37 PM	0.50 L	11:04 PM	8.79 H
2025/03/21	Fri	04:03 AM	7.83 L	08:55 AM	8.57 H	4:29 PM	0.66 L		





**Washington State Department of Health**  
**Office of Environmental Health and Safety (360)236-3330**

**PSP Daily Report**  
 March 17, 2025

PSP Number	Date Collected	Site Name	Subsite	County	Species	PSP Result (µg/100g)	Tissue	Collector
202500455	03/14/2025	Alden Bank Tract #02800		Whatcom	Geoduck	NTD	Gut	Squamish Indian Tribe
202500456	03/16/2025	Agate Pass Tract #06800		Kitsap	Geoduck	NTD	Gut	Department of Natural Resources
202500457	03/16/2025	Penn Cove		Island	Blue Mussel	NTD	Whole	Penn Cove Shellfish, LLC
202500458	03/16/2025	Samish Bay		Skagit	Pacific Oyster	NTD	Whole	Penn Cove Shellfish, LLC
202500459	03/16/2025	Illahe Tract #07360		Kitsap	Geoduck	NTD	Gut	Squamish Seafoods
202500460	03/17/2025	Protection Island Tract #01000		Jefferson	Geoduck	NTD	Gut	Lower Elwha Skallam Tribe
202500461	03/17/2025	Foulweather East Tract #04950		Kitsap	Geoduck	NTD	Gut	The Tulalip Tribes
202500462	03/16/2025	Alden Bank Tract #02800		Whatcom	Geoduck	NTD	Gut	The Tulalip Tribes
202500463	03/17/2025	President Point Tract #06400		Kitsap	Geoduck	NTD	Gut	The Tulalip Tribes
202500464	03/13/2025	Long Beach North - E		Pacific	Razor Clam	NTD	Meat	Department of Fish & Wildlife

NTD: No Toxin Detected  
 Action Level: 80µg/100g

TDD Relay Services 1-800-833-6388  
<http://www.doh.wa.gov/shellfishsafety.htm>