



# Quinault Indian Nation

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## EMERGENCY REGULATION 2018/19-C-48

**TO:** Quinault Tribal Clam Diggers  
Quinault Tribal Law Enforcement  
**FROM:** Quinault Business Committee  
**DATE:** January 25, 2019  
**SUBJECT:** Off-Reservation Commercial Razor Clam Dig on Copalis Beach  
(Oyhut section: Oyhut to Ocean City)

### Section 1

The Quinault Business Committee has authorized the 2018-19 Commercial Off-Reservation Razor Clam digs on the Oyhut to Ocean City area of Copalis Beach at the following times:

	<u>Date</u>	<u>Tide</u>	<u>Start</u>	<u>Stop</u>
Mon	Feb 18	-1.3	3:57 PM	7:57 PM
Tue	Feb 19	-1.4	4:42 PM	8:42 PM
Wed	Feb 20	-1.2	5:24 PM	9:24 PM

Latest test results indicate current biotoxin levels are within health guidelines.

**Pollution Warning: No clams can be harvested within 190 yards north and south of the Oyhut beach approach road (Best Western).**

**\*2018-19 Permits are required for digging (See Sections 4-5)\***

**Note: Any of the individual listed digs above may be cancelled due to adverse weather and/or surf conditions. Conditions will be checked within 48 hrs before hand to determine if these digs may be cancelled.**

**Any of the individual listed digs above may be cancelled by this regulation if less than 10 diggers are present on the beach at the start time listed.**

**Tribal Commercial Diggers must remain at the beach entrance until released by enforcement officers prior to the start of the dig.**

Closing times will be marked by the sirens of the Quinault Tribal Fisheries Enforcement Vehicles patrolling the beach. Harvest of razor clams and other shellfish by Quinault Tribal Members outside of the Quinault Reservation at times and locations other than those specified above is prohibited unless otherwise expressly authorized by Quinault Regulation.

### Section 2

All persons participating in the razor clam fishery established in Section 1 shall enter and leave the beach using the beach access at Ocean City located off State Highway 109. It shall be unlawful and a violation of this regulation for any person to enter or leave the area open to razor clam harvest for the purpose of

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participating in the fishery or after participating in the fishery on the day of an opening established in Section 1 at any other place. It shall be unlawful and a violation of this regulation for any person to drive a vehicle on or across razor clam beds. All vehicles and diggers are required to stay within the beach area north of the Oyhut beach access and south of the Ocean City Beach access.

**Section 3**

Shellfish harvested pursuant to these regulations shall be subject to inspection and sampling by Quinault Fisheries personnel and Quinault Enforcement Officers. Persons participating in the fishery established in Section 1 shall be deemed to have consented to the inspection of vehicles used in connection with the fishery established in Section 1 and the inspection and sampling of all shellfish harvested.

**Section 4**

Only enrolled members of the Quinault Indian Nation possessing a permit for the fishery established in Section 1 may participate. It shall be unlawful and a violation of this regulation for any member to be assisted by or accompanied by a person not enrolled in the Quinault Indian Nation during the fishery established in Section 1. **Notice: each digger must sell their clams to the buyer under their own name. No substitutions allowed!**

**Section 5**

Enrolled members shall obtain a permit from the QDNR Permit Office or at the beach entrance prior to participating in the fishery established in Section 1. The permit shall be worn in plain view on the outer clothing during the fishery and when entering and leaving the beach. Persons participating in the fishery shall also have in their possession tribal identification that shall be presented to Tribal Enforcement and Fisheries Personnel upon request. The permit for the fishery established in Section 1 may be obtained by presenting proof of tribal membership. It shall be unlawful and a violation of this regulation for any Quinault Tribal Member to be present on the Copalis Beach between the Oyhut beach access and the Ocean City beach access during the opening established in Section 1 without the required permit and tribal identification. It is provided that no permit shall be required for Quinault Tribal Government and Enterprise employees engaged in official duties during the fishery. It shall be unlawful and a violation of this regulation for a person to use a permit issued to another person.

**Section 6**

All shellfish harvested in the fishery established in Section 1 shall be sold to the Quinault authorized buyers stationed at the Ocean City beach access. No razor clams shall be removed from the beach except those sold to the Quinault authorized buyers. **All clams shall be rinsed of sand prior to sale.** Those clams not satisfactorily rinsed will be rejected by Tribal buyers until they have been rinsed.

**Section 7**

All shellfish harvested shall be reported on Quinault Tribal fish receiving tickets.

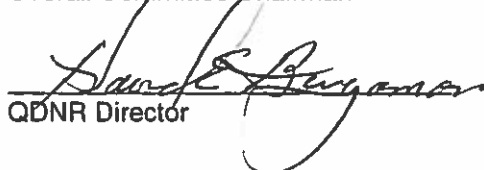
**Section 8**

Failure to comply with any provision of this regulation shall subject the offender to criminal or civil enforcement action as provided in QTC Title 51.

**This regulation may be rescinded based on further clam biotoxin testing.**

*LeRoy Black*

Overall Committee Chairman

  
QDNR Director



Quinault Business Committee






# 2.8.19 Copalis Commercial Oyhut-OCity C48

Final Audit Report

2019-02-08

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