

LOWER ELWHA KLALLAM TRIBE SECTION 4.6 CRAB REGULATION FOR REGION 1

The following regulation is promulgated by the Lower Elwha Klallam Tribe and shall govern the conduct of off-reservation commercial and subsistence Dungeness crab fisheries by the Lower Elwha Klallam Tribe in Region 1, the San Juan Islands. The term of this regulation is from June 1, 2020 through May 31, 2020 unless superceded, and is intended to regulate the Dungeness crab harvest by the Lower Elwha Klallam Tribe in Region 1 under provisions of Paragraph 4.6 of United States v. Washington, 898 F. supp. 1453 (W.D. Wash. 1995), as amended by the Stipulation and Order Amending Shellfish Implementation Plan, dated April 8, 2002, (hereafter "Implementation Order"). In the event the Region 1 Crab Harvest Management Plan is completed before the end of this regulation term, this regulation will be superceded by a new regulation conforming to the provisions of the Region 1 Crab Harvest Management Plan

FILING ORGANIZATION: Lower Elwha

REGULATION NUMBER: #S20-060

DATE ADOPTED: JULY 22, 2020

REGULATION: LEKT REGULATION #S20-035 SECTION 5, AND SECTION 7.

REGULATION MODIFIED: S20-056

CATCH AREAS: SHELLFISH MANAGEMENT REGION 1 (CATCH REPORTING AREA 20B, 22A, THAT PORTION OF 20A SOUTH AND WEST OF A LINE BETWEEN TOE POINT OF A LINE BETWEEN TOE POINT ON PATOS ISLAND AND POINT MIGLEY ON LUMMI ISLAND, THAT PORTION OF 21A SOUTH AND WEST OF LUMMI ISLAND AND A LINE RUNNING BETWEEN CARTER POINT ON LUMMI ISLAND AND THE NORTHERN TIP OF VENDOVI ISLAND, AND THAT PORTION OF 22B NORTH AND WEST OF A LINE BETWEEN CLARK POINT ON GUEMES ISLAND AND THE SOUTHERN TIP OF VENDOVI ISLAND, WEST OF GUEMES ISLAND AND SOUTH AND WEST OF A LINE RUNNING DUE SOUTH FROM KELLYS POINT ON GUEMES ISLAND).

FISHERY TYPE: COMMERCIAL

SPECIES: DUNGENESS CRAB

ON/OFF RESERVATION: OFF

EFFECTIVE DATES: JULY 29TH THROUGH JULY 31ST 2020

DAYS/HOURS: 1) OPEN 2:00 PM WEDNESDAY, JULY 29TH, 2020,
CLOSE 12:00 NOON FRIDAY, JULY 31ST, 2020.

LEGAL GEAR: 1) AS PER REGULATION #S20-035, SECTION 7 AND SECTION 8.
2) A BUOY MAY BE ANY COLOR EXCEPT FOR A COMBINATION OR RED

AND
WHITE. IF ANY PORTION OF A BUOY IS RED, NO REMAINING
PORTION
MAY BE WHITE. IF ANY PORTION OF A BUOY IS WHITE, NO
REMAINING
PORTION MAY BE RED.

3) THE POT LIMIT IN REGION 1 IS 30 TAGGED POTS PER FISHER.

EXPECTED HARVEST: THE TRIBAL QUOTA FOR REGION 1 IS 2.75 MILLION POUNDS.

OTHER RESTRICTIONS:

- 1) SPECIAL AREA CLOSURES AND OTHER AREA RESTRICTIONS IN THE SAN JUANS WILL BE AS STIPULATED IN REGULATION #S20-035, SECTION 6.
- 2) THE MINIMUM SIZE FOR LEGAL CRAB IS 6 1/4 INCHES, CALIPER MEASUREMENT ACROSS THE BACK OF THE CRAB, IMMEDIATELY IN FRONT OF THE TIPS.
- 3) ONLY MALE CRAB MAY BE TAKEN.
- 4) RECENTLY MOLTED, SOFT-SHELLED CRAB MAY NOT BE TAKEN. ALL CRAB TAKEN MUST BE CHECKED FOR SHELL HARDNESS.
- 5) IT IS UNLAWFUL FOR FISHERS TO RETAIN AND POSSESS ANY FEMALE, UNDERSIZED AND SOFT-SHELLED DUNGENESS CRABS. ALL FEMALE, UNDERSIZED AND SOFT-SHELLED DUNGENESS CRABS MUST BE RETURNED TO THE WATER UNHARMED.
- 6) IN THE EVENT THAT WEATHER PROHIBITS REMOVAL OF POTS AND HARVEST, POTS MAY BE LEFT ON THE GROUNDS CLUSTERED IN A NON-FISHING POSITION AND COLLECTED AT A LATER DATE, PROVIDED THAT NOTICE HAS BEEN GIVEN TO LEKT COUNCIL OFFICE OF THE LATE RETRIEVAL.
- 7) IT IS UNLAWFUL TO REMOVE FROM THE WATER OR TAMPER WITH ANOTHER FISHER'S CRAB GEAR. ANY CRAB GEAR FOUND WITHOUT LEGIBLE IDENTIFICATION MARKINGS MUST BE TURNED IN TO THE TRIBAL FISHERIES OFFICE.
- 8) ALL CRAB POTS MUST BE REGISTERED WITH THE FISHERIES DEPARTMENT AND MUST HAVE THE APPROPRIATE COLORED BUOY TAG, WHEN REQUIRED, ATTACHED AT THE TERMINAL END OF EACH BUOY LINE. TAGS ARE AVAILABLE AT THE FISHERIES ENFORCEMENT DEPARTMENT.

LEKT SPECIFIC PROVISIONS:

- 1) LOST GEAR MUST BE DECLARED THROUGH SUBMISSION OF A LOST POT FORM TO ENFORCEMENT WITHIN 24 HOURS OF THE CLOSE OF THE FISHERY.

LEKT SPECIFIC PROVISIONS:

- 1) LOST GEAR MUST BE LOCATED WITHIN 48 HOURS OF THE CLOSE OF THE FISHERY. THE OWNER OF GEAR PULLED BY ENFORCEMENT MORE THAN 48 HOURS AFTER THE CLOSE OF THE FISHERY

WILL
BE IN VIOLATION OF THIS REGULATION.

REGISTRATION: ALL TRIBAL FISHERS PLANNING TO PARTICIPATE IN THE REGION 1
CRAB
FISHERY MUST REGISTER AT THE TRIBAL FISHERIES OFFICE PRIOR
TO
FISHING. AT THE TIME OF REGISTRATION, FISHERS SHALL REPORT
THE NUMBER OF POTS TO BE USED.

CATCH REPORTING: ALL COMMERCIAL CATCHES SHALL BE REPORTED ON TREATY TREATY
INDIAN
FISH RECEIVING TICKETS. THE WEIGHT OF ALL CRAB RECEIVED
AND NOT
PURCHASED FOR ANY REASON SHALL BE RECORDED AS TAKE HOME OR
SPECIES
CODE 20-561 ON TREATY INDIAN FISH RECEIVING TICKETS. ALL
SUBSISTENCE CRAB HARVEST SHALL BE REPORTED ON SHELLFISH
SUBSISTENCE CARDS. CARDS ARE AVAILABLE AT THE TRIBAL
FISHERIES
OFFICE.

JUSTIFICATION: CONTINUE HARVEST OF THE TREATY SHARE OF CRAB IN REGION 1.
CHANGE OF CLOSING TIMES

(LOWER ELWHA FISHERIES
760 STRATTON ROAD
PORT ANGELES, WA 98363)