

FILING ORGANIZATION: LOWER ELWHA KLALLAM TRIBE

The following regulation is promulgated by the Lower Elwha Klallam Tribe and shall govern the conduct of off-reservation commercial Dungeness crab fisheries. The term of this regulation is from June 1, 2023 through May 31, 2024, unless superseded, and is intended to regulate the Dungeness crab harvest by the Lower Elwha Klallam Tribe in Region 3 under provisions of Paragraph 4.6 of United States v.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the Region 3 Crab Harvest Management Plan is completed before the end of this regulation term, this regulation will be superseded by a new regulation conforming to the provisions of the Region 3 Crab Harvest Management Plan.

REGULATION NUMBER: S23-084

DATE ADOPTED: SEPTEMBER 19, 2023

REGULATION(S) REG. #S23-028, SECTIONS 5 AND 7.
SUPERSEDED/MODIFIED: REG. #S23-083

CATCH AREAS: CRUSTACEAN MANAGEMENT REGION 3, SUBREGION 3-2 (CATCH REPORTING AREAS 25A, 25E, AND 23D).

FISHERY TYPE: COMMERCIAL

SPECIES: DUNGENESS CRAB (*Metacarcinus magister*) AND RED ROCK CRAB (*Cancer productus*)

ON/OFF RESERVATION: OFF

EFFECTIVE DATES: SEPTEMBER 16TH THROUGH SEPTEMBER 20TH, 2023

DAYS/HOURS: OPEN SAT 10:00 AM, SEPT 16TH,
CLOSE 2:00 PM WED SEPT 20TH, 2023

POTS MAY ONLY BE CHECKED FROM 30 MINUTES BEFORE SUNRISE TO 30 MINUTES AFTER SUNSET EACH DAY.

OTHER RESTRICTIONS: AS PER REG. #S23-028, ADDITIONALLY:

1. POT LIMITS FOR EACH OF THE CATCH AREAS ARE AS FOLLOWS (POTS PER VESSEL IMPLIES NO MORE THAN ONE VESSEL PER FISHER):
 - A) FOR ALL OF SUBREGION 3-2, A TOTAL OF 50 POTS PER VESSEL FOR ALL AREAS COMBINED;
 - B) FOR INNER DUNGENESS BAY (ALL WATERS OF DUNGENESS BAY WEST OF THE 123 DEGREES 6.50 MINUTES LONGITUDE LINE FROM THE NEW DUNGENESS LIGHT- 25 POTS PER VESSEL.
 - C) FOR SEQUIM BAY (ALL WATERS OF SEQUIM BAY SOUTH OF A LINE TRUE WEST FROM TRAVIS SPIT TO THE MILLER PENINSULA): 10 POTS PER VESSEL.
 - D) FOR DISCOVERY BAY (AREA 25E, EXCLUDING ALL WATERS SOUTH OF A LINE FROM CONTRACTORS POINT TO TUKEY POINT): 10 POTS PER VESSEL

2. BUOY COLORS MAY BE ANY COLOR EXCEPT RED AND WHITE. NO RED AND WHITE COMBINATION OF ANY TYPE IS PERMITTED. IF ANY PORTION OF THE BUOY IS RED, NO REMAINING PORTION MAY BE WHITE. IF ANY PORTION OF THE BUOY IS WHITE, NO REMAINING PORTION MAY BE RED.
3. LONGLINE FISHING IS PERMITTED. A MAXIMUM OF 5 POTS PER LONGLINE IS ALLOWED, PROVIDED THAT EACH LONGLINE HAS AT LEAST ONE BUOY ATTACHED THAT CONFORMS WITH THE BUOY REQUIREMENTS OF REGULATION #S23-028, SECTION 7. BUOYS MUST REMAIN FLOATING AT ALL TIMES EXCEPT DURING EXTREME TIDES. BUOYS WILL BE MARKED WITH THE TRIBE'S INITIALS (LEK) AND WITH THE FISHER'S ID NUMBER. BUOY LINES WILL BE WEIGHTED TO KEEP THE LINES FROM FLOATING.
4. ALL COMMERCIAL CATCHES SHALL BE REPORTED ON TREATY INDIAN FISH TICKETS EITHER AS COMMERCIALY SOLD OR COMMERCIALY CAUGHT TAKE HOME, AS SPECIFIED IN THE TRIBAL FISHERIES ORDINANCE. CRAB NOT SOLD OR TAKEN HOME WILL BE REPORTED ON THE FISH TICKET AS SPECIES CODE 20-561.
5. ALL TRIBAL FISHERS PLANNING TO PARTICIPATE IN THE REGION 3 CRAB FISHERY MUST REGISTER AT THE TRIBAL FISHERIES OFFICE PRIOR TO FISHING.

HARVEST RESTRICTIONS:

1. 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 OR FISHERIES ENFORCEMENT. FISHERS WISHING TO TEND THE GEAR OF ANOTHER FISHER ON A TEMPORARY BASIS MUST OBTAIN A GEAR-TENDING PERMIT SPECIFIC TO THAT FISHER FROM THE FISHERIES OFFICE.
2. THE MINIMUM SIZE FOR HARVEST IS 6 1/4 INCHES FOR DUNGENESS CRAB AND 5 INCHES FOR RED ROCK CRAB. MINIMUM SIZE IS MEASURED AS CALIPER LENGTH 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 CRABS. ALL FEMALE, UNDERSIZED AND SOFT-SHELLED DUNGENESS CRABS MUST BE RETURNED TO THE WATER UNHARMED.

LOST GEAR REPORTING:

1. ALL FISHERS MUST REPORT LOST GEAR TO ENFORCEMENT IMMEDIATELY FOLLOWING THE FISHERY.
2. ALL FISHERS MUST FILL OUT A LOST POT FORM AND SUBMIT IT TO THE NATURAL RESOURCES OFFICE WITHIN 24 HOURS OF THE CLOSE OF THE FISHERY.

JUSTIFICATION: HARVEST THE TREATY SHARE OF THE AVAILABLE CRAB
RESOURCE IN SUBREGION 3-2. EXTENDING CLOSING DATE.
(LOWER ELWHA FISHERIES
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PORT ANGELES, WA 98363)