

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 The term of this regulation is from June 21, 2023 through February 15, 2024, unless superseded, and is intended to regulate the Dungeness crab harvest by the Lower Elwha Klallam Tribe in Region 2W under provisions of Paragraph 4.6 of United States v.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the Region 2W Crab Harvest Management Plan is completed before the end of this regulation term, this regulation will be superseded by a new regulation conforming to the provisions of the Region 2W Crab Harvest Management Plan.

REGULATION NUMBER: #S23-129

DATE ADOPTED: JANUARY 15, 2024

REGULATION MODIFIED: LEKT REGULATIONS #S23-028, SECTION 5 AND SECTION 7 REGULATION

SUPERSEDED: NONE CATCH AREAS: SHELLFISH MANAGEMENT REGION 2 WEST (CATCH REPORTING AREAS 25B, 25D, AND ALL S'KLALLAM U&A AREAS IN THAT PORTION OF AREA 26A SOUTH AND WEST OF THE SOUTHERN TIP OF POSSESSION POINT ON WHIDBEY ISLAND).

FISHERY TYPE: SUBSISTENCE –EARLY CLOSURE

SPECIES: DUNGENESS CRAB (*Metacarcinus magister*) AND RED ROCK CRAB (*Cancer productus*) ON/OFF RESERVATION: OFF EFFECTIVE DATES: JUNE 21, 2023 THROUGH JANUARY 17, 2024 DAYS/HOURS: OPEN 8:00 AM WEDNESDAY, JUNE 21, 2023, CLOSED 5:00 PM WEDNESDAY FEBRUARY 17, 2024, DUE TO QUOTA TAKEN.

LEGAL GEAR: 1) AS PER REGULATION #S23-028, SECTION 7 AND SECTION 8.

2) SUBSISTENCE POT LIMIT FOR REGION 2 WEST IS 5 POTS/RING NETS PER FISHER/DAY.

3) 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.

4) POTS MAY ONLY BE FISHED FROM 30 MINUTES BEFORE SUNRISE TO 30 MINUTES AFTER SUNSET ON EACH OPEN DAY.

5) LOST GEAR MUST BE REPORTED TO ENFORCEMENT IMMEDIATELY FOLLOWING DAILY SUBSISTENCE FISHING AND A LOST POT FORM MUST BE SUBMITTED WITHIN THE SUBSEQUENT 24 HOURS. HARVEST

RESTRICTIONS:

1) 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.

2) ONLY MALE CRAB MAY BE TAKEN.

3) RECENTLY MOLTED, SOFT-SHELLED CRAB MAY NOT BE TAKEN. ALL CRAB TAKEN MUST BE CHECKED FOR SHELL HARDNESS.

4) IT IS UNLAWFUL FOR FISHERS TO RETAIN AND POSSESS ANY FEMALE, UNDERSIZED OR SOFT-SHELLED DUNGENESS CRABS. ALL FEMALE, UNDERSIZED AND SOFT-SHELLED DUNGENESS CRABS MUST BE RETURNED TO THE WATER UNHARMED.

5) THE DAILY SUBSISTENCE HARVEST LIMIT IN REGION 2 WEST IS 10 CRABS PER FISHER. CLOSED AREAS: AS PER REGULATION #S23-028, SECTION

6. CATCH REPORTING: ALL SUBSISTENCE CRAB HARVEST SHALL BE REPORTED ON SHELLFISH SUBSISTENCE CARDS IMMEDIATELY AFTER HARVEST. CARDS ARE AVAILABLE AT THE TRIBAL FISHERIES OFFICE. SUBSISTENCE FISHERS MUST HAVE SUBSISTENCE CARDS ON THEIR PERSON WHEN FISHING.

JUSTIFICATION: COMMENCE SUBSISTENCE CRAB FISHING IN REGION 2 WEST.

\*EARLY CLOSURE DUE TO QUOTA TAKEN\*

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