

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The term of this regulation is from June 15, 2026 through February 15, 2027, unless superseded, and is intended to regulate the Dungeness crab harvest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the Region 2W Crab Harvest Management Plan is completed before the end of this regulation term, this regulation will be superseded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: #S26-038

DATE ADOPTED: JUNE 22, 2026

REGULATION MODIFIED: LEKT REGULATIONS #S26-022, SECTION 5 AND SECTION 7

REGULATION SUPERSEDED: NONE

CATCH AREAS: SHELLFISH MANAGEMENT REGION 2 WEST, DESCRIBED AS SHELLFISH CATCH REPORTING AREAS 25B, 25D AND ALL KLALLAM U & A AREAS IN THAT PORTION OF 26AW SOUTH AND WEST OF THE SOUTHERN TIP OF POSSESSION POINT ON WHIDBEY ISLAND.

FISHERY TYPE: COMMERCIAL

SPECIES: DUNGENESS CRAB (*Metacarcinus magister*)

ON/OFF RESERVATION: OFF

EFFECTIVE DATES: JUNE 15, 2026 THROUGH FEBRUARY 15, 2027

DAYS/HOURS: 1) OPEN 08:00AM JUNE 29TH, 2026.
CLOSE 04:00PM JULY 1ST, 2026 (56 HOURS)

2) FOR ALL OPEN AREAS, POTS MAY ONLY BE CHECKED FROM 30 MINUTES BEFORE SUNRISE TO 30 MINUTES AFTER SUNSET EACH DAY.

LEGAL GEAR: AS PER REGULATION #S26-022, SECTION 7 AND SECTION 8 IN ADDITION:

1. POT LIMITS FOR EACH OF THE AREAS WILL BE AS FOLLOWS:

AND
A. FOR ALL AREAS COMBINED 40 POTS PER FISHER
PER VESSEL.

B. AREA 25D: 20 POTS PER FISHER AND 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.

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 CLOSE OF FISHERY

AND A LOST POT FORM MUST BE SUBMITTED WITHIN THE
SUBSEQUENT 24 HOURS.

IN-COMMON RESTRICTIONS:

IN ADDITION TO THOSE RESTRICTIONS ABOVE, THE FOLLOWING
RESTRICTIONS, WHICH ALL

REGION 2W TRIBES ARE IMPOSING FOR THIS OPENING,
NOTWITHSTANDING ANY CONTRARY

PROVISIONS IN THEIR RESPECTIVE TRIBAL CODES, ALL APPLY -

1. BARGING OF POTS WILL ONLY BE PERMITTED UP TO 1 HOUR
PRIOR TO THE FISHERY

OPENING AND AFTER THE CLOSE OF THE FISHERY. IT IS
PROHIBITED TO BARGE POTS

OR TOW BOATS WITHIN 1 HOUR PRIOR TO OPENING AND DURING
THE FISHERY.

ONLY OPERATIONAL VESSELS WITH FUNCTIONAL CONVENTIONAL
POT-PULLERS SHALL

BE USED FOR TRANSPORTING OR FISHING CRAB GEAR.

2. ONLY 1 PERMIT SHALL BE ISSUED PER LICENSED FISHER.

3. EACH BOAT SHALL HAVE 1 PERMIT PER BOAT AND NO MORE
THAN 40 POTS TOTAL,

INCLUDING A MAXIMUM OF 20 POTS IN CATCH AREA 25D. ZIP
TIES ISSUED BY THE

TRIBE'S FISHERIES OFFICE MAY ONLY BE USED WHEN TAGS ARE
NOT AVAILABLE.

ALL TRIBES WITH A POT TAGGING SYSTEM IN PLACE SHALL USE
THE APPROPRIATE TAGS

FOR THIS FISHERY.

4. AT LEAST ONE BUOY MUST BE CLEARLY MARKED PER POT WITH
THE VESSEL

NUMBER OF THE BOAT FISHING REGISTERED TO THAT GEAR.

5. ALL BOATS MUST SET THEIR OWN REGISTERED GEAR AT THE BEGINNING OF THE FISHERY AND MUST PICK UP THEIR OWN REGISTERED GEAR AT THE END OF THE FISHERY.

DURING THE FISHERY, NOT INCLUDING THE INITIAL DROP AND FINAL PICK UP,

A BOAT MAY RUN UP TO TWO SETS OF GEAR IN SUMMER (PRIOR TO OCT. 1) AND UP TO

THREE SETS OF GEAR IN THE WINTER (AFTER SEPT. 30) AS LONG AS THE REGISTERED OWNER

OR OPERATOR OF THAT GEAR IS ON BOARD THE BOAT WORKING THE GEAR. ANY ADJUSTMENT TO

THE TIMING OF THE SUMMER AND WINTER SEASONS WILL BE REFLECTED IN UPDATED REGULATIONS.

6. THE USE OF GROUND LINES IS NOT PERMITTED DURING SUMMER FISHERY.

7. ALL GEAR SHALL BE REMOVED FROM THE WATER PRIOR TO THE TIME OF FISHERY CLOSURE,

SUBJECT TO TWO NARROW EXCEPTIONS. FIRST, IF GEAR CANNOT BE LIFTED FROM THE WATER

PRIOR TO CLOSURE BECAUSE OF A MECHANICAL FAILURE, FISHERS MUST IMMEDIATELY NOTIFY

ENFORCEMENT. ENFORCEMENT WILL DOCUMENT ANY BREAKDOWN INCLUDING ANY GEAR LIFTED FROM

OR REMAINING IN THE WATER. ANOTHER BOAT OR ENFORCEMENT MAY LIFT THE POTS BUT THE GEAR

MAY NOT BE REDEPLOYED. SECOND, IF WINDS ARE ABOVE 20 KNOTS AND IT WOULD BE UNSAFE TO

TRANSPORT THE POTS, THE GEAR CAN REMAIN IN THE WATER IN NON-FISHING CONDITION UNTIL

IT IS SAFE TO TRANSPORT.

8. FISHERS SHALL NOT HAVE CRAB ON BOARD A VESSEL WHILE RECOVERING POTS AFTER CLOSURE OF THE FISHERY.

9. IT IS UNLAWFUL TO HAVE ON BOARD A VESSEL, PURCHASE OR ATTEMPT TO SELL

A FEMALE CRAB OR MALE CRAB LESS THAN 6.25 INCHES MEASURE ACROSS THE

BACK IN FRONT OF THE HORNS.

10. IT IS UNLAWFUL TO HAVE ON BOARD A VESSEL, PURCHASE OR ATTEMPT TO SELL SOFT CRAB.

11. THERE SHALL BE NO CRAB IN TRANSIT TO A BUYER MORE THAN 4 HOURS AFTER THE

CLOSE OF A FISHERY UNLESS OTHERWISE NOTIFIED BY THE FISHER TO ENFORCEMENT FOR

DELAYS DUE TO LATE CLOSURES, WEATHER, OR MECHANICAL FAILURE REQUIRING TRANSIT

OF CRAB TO OCCUR 4 HOURS AFTER THE CLOSE OF THE FISHERY.

VIOLETION OF IN-COMMON RESTRICTIONS WILL BE SUBJECT TO PENALTIES IN INDIVIDUAL TRIBAL CODES.

OTHER RESTRICTIONS: AS PER REGULATION #S26-022, SECTION 7 AND SECTION 8 IN ADDITION:

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

3) 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 INTO THE TRIBAL FISHERIES OFFICE.

REGISTRATION: ALL TRIBAL FISHERS PLANNING TO PARTICIPATE IN THE REGION 2 WEST CRAB FISHERY MUST REGISTER AT THE TRIBAL OFFICE PRIOR TO FISHING. AT THE TIME OF REGISTRATION, FISHERS SHALL REPORT THE NUMBER OF POTS TO BE USED

CLOSED AREAS: AS PER REGULATION #S26-022, SECTION 6.

CATCH REPORTING: ALL COMMERCIAL CATCHES SHALL BE REPORTED ON 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 CODE 20-561 ON TREATY INDIAN FISH RECEIVING TICKETS. ALL SUBSISTENCE CRAB HARVEST SHALL BE REPORTED ON SHELLFISH SUBSISTENCE CARDS. CARDS ARE AVAILABLE THE TRIBAL FISHERIES OFFICE

JUSTIFICATION: HARVEST OF THE TREATY SHARE OF CRAB IN REGION 2 WEST.

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