LOWER ELWHA KLALLAM TRIBE SECTION 4.6 CRAB REGULATION FOR REGION 3

The following regulation is promulgated by the Lower Elwha Klallam Tribe and shall govern the conduct of off-reservation commercial Dungeness crab fisheries in Region 3. The term of this regulation is from June 1, 2026 through May 31, 2027, unless superseded, and is intended to regulate the Dungeness crab harvest by the Lower Elwha Klallam Tribe in Region 3 under provisions of Paragraph 4.6 of United States v.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the Region 3 Crab Harvest Management Plan is completed before the end of this regulation term, this regulation will be superseded by a new regulation conforming to the provisions of the Region 3 Crab Harvest Management Plan.

FILING ORGANIZATION: LOWER ELWHA KLALLAM TRIBE

REGULATION NUMBER: S26-070

DATE ADOPTED: NOVEMBER 13, 2026
REGULATION(S): S26-022 SECTION 5 & 7
MODIFIED:

CATCH AREAS: CRUSTACEAN MANAGEMENT REGION 3, DESCRIBED AS:
SUBREGION 3-1 (SHELLFISH CATCH REPORTING AREAS 23A AND
23B).

FISHERY TYPE: COMMERCIAL

SPECIES: DUNGENESS CRAB

ON/OFF RESERVATION: OFF
EFFECTIVE DATES: NOVEMBER 18TH THRU December 1st,2027

DAYS/HOURS: 1)OPEN ON NOVE 18TH AT 9:00 AM TO DEC 1ST AT 5:00 PM 2027.with a weather call Monday the 23rd at 3:30pm

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 REG. #S26-022,SECTION 7 AND 8 IN ADDITION:

1. POT LIMITS FOR EACH OF THE AREAS WILL BE AS FOLLOWS:
   A. FOR ALL AREAS COMBINED 30 TAGGED 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 ARE 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.

OTHER RESTRICTIONS: AS PER REG. #S26-022, ADDITIONALLY:

1. THE MINIMUM SIZE LIMIT FOR LEGAL CRAB IS 6.25 INCHES, CALIPER MEASUREMENT ACROSS THE BACK OF THE CRAB, IMMEDIATELY IN FRONT OF THE TIPS.
2. ONLY MALE CRABS 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.
4. FISHERS WILL NEED TO SEND IN A DAILY COUNT PLEASE TAKE PICTURE AND SEND TO MY WORK CELL 360-912-4355.
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 SET 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.

IN-COMMON RESTRICTIONS: In addition to the restrictions above, the following restrictions, which all Region 3-1 Tribes are imposing for this commercial 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 for the purposes of hauling 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 30 registered pots.

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 set 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.
Violation of in-common restrictions will subject to penalties in individual Tribal codes.

REGISTRATION: ALL TRIBAL FISHERS PLANNING TO PARTICIPATE IN THE REGION 3 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.

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 SUBSISTANCE CRAB HARVEST SHALL BE REPORTED ON SHELLFISH SUBSISTANCE CARDS. CARDS ARE AVAILABLE THE TRIBAL FISHERIES OFFICE.

JUSTIFICATIONS:

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