LOWER ELWHA KLALLAM TRIBE.

FILING ORGANIZATION: LOWER ELWHA

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 The term of this regulation is from June 1, 2026 through May 31, 2027, unless superseded, and is intended to regulate the Dungeness crab harvest by the Lower Elwha Klallam Tribe in Region 1 under provisions of Paragraph 4.6 of United States v.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the Region 1 Crab Harvest Management Plan is completed before the end of this regulation term, this regulation will be superseded by a new regulation conforming to the provisions of the Region 1 Crab Harvest Management Plan.

REGULATION NUMBER: #S26-071

DATE ADOPTED: NOVEMBER 16, 2026

REGULATION MODIFIED: #NONE

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

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: JUNE 1ST, 2026 THROUGH MARCH 31ST, 2027
DAYS/HOURS: OPEN 9:00AM WEDNESDAY, NOVEMBER 18TH, 2026
THROUGH 05:00PM TUESDAY, DECEMBER 1ST, 2026

LEGAL GEAR:
1) AS PER REGULATION #S26-022, SECTION 7 AND SECTION 8.
2) A BUOY MAY BE ANY COLOR EXCEPT FOR A COMBINATION OF 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 BUOY TAGGED POTS PER VESSEL.

OTHER RESTRICTIONS:
1) SPECIAL AREA CLOSURES AND OTHER AREA RESTRICTIONS IN THE SAN JUANS
WILL BE AS STIPULATED IN REGULATION #S26- 022, 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.
2) LOST GEAR MUST BE LOCATED WITHIN 48 HOURS OF THE CLOSE OF THE FISHERY.
THE OWNER OF THE GEAR PULLED BY ENFORCEMENT MORE THAN 48 HOURS AFTER THE
CLOSE OF THE FISHERY WILL BE IN VIOLATION OF THIS REGULATION.

IN-COMMON RESTRICTIONS:

In addition to those restrictions above, the following restrictions, which all Region 1 tribes are imposing for this opening, not withstanding any contrary provisions in their respective tribal codes, all apply:

1. BARGING OF POTS WILL ONLY BE PERMITTED UP TO ONE 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 ONE 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 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 SETS OF GEAR IN THE WINTER (AFTER SEPT. 30) AS LONG AS THE REGISTERED OWNER OR OPERATOR OF THAT GEAR IN 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 THE 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 ANY FEMALE CRAB
OR MALE DUNGENESS CRAB LESS THAN 6.25 INCHES MEASURED ACROSS THE BACK, IMMEDIATELY
IN FRONT OF THE HORNS.

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

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 FOUR HOURS AFTER THE CLOSE
OF THE FISHERY.

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

JUSTIFICATION: OPENS REGION 1 CRAB UNTIL ATTAINMENT OF THE QUOTA

LOWER ELWHA FISHERIES 760 STRATTON ROAD PORT ANGELES, WA 98363