

LOWER ELWHA KLALLAM TRIBE SECTION 4.6 CRAB REGULATION FOR REGION 1

The following regulation is promulgated by the Lower Elwha Klallam Tribe and shall govern the conduct of off-reservation commercial and subsistence Dungeness crab fisheries by the Lower Elwha Klallam Tribe in Region 1, the San Juan Islands. The term of this regulation is from June 19, 2018 through April 15, 2019, unless superceded, and is intended to regulate the Dungeness crab harvest by the Lower Elwha Klallam Tribe in Region 1 under provisions of Paragraph 4.6 of United States v.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the Region 1 Crab Harvest Management Plan is completed before the end of this regulation term, this regulation will be superceded by a new regulation conforming to the provisions of the Region 1 Crab Harvest Management Plan

FILING ORGANIZATION: Lower Elwha

REGULATION NUMBER: #S18-114

DATE ADOPTED: JANUARY 15, 2019

REGULATION: LEKT REGULATION #S18-035 SECTION 5, AND SECTION 7.

REGULATION SUPERCEDED: none

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/EARLY CLOSURE

SPECIES: DUNGENESS CRAB

ON/OFF RESERVATION: OFF

EFFECTIVE DATES: FEBRUARY 19TH THROUGH MARCH 13th 2019

DAYS/HOURS: 1) OPEN 8:00 AM TUESDAY, FEBRUARY 19, 2019,
CLOSE 6:00 PM WEDNESDAY, MARCH 13TH, 2019.

LEGAL GEAR: 1) AS PER REGULATION #S18-035, SECTION 7 AND SECTION 8.
2) A BUOY MAY BE ANY COLOR EXCEPT FOR A COMBINATION OR 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 25 POTS PER FISHER.
MAXIMUM OF 50 POTS PER VESSEL.

EXPECTED HARVEST: THE TRIBAL QUOTA FOR REGION 1 IS 2.75 MILLION POUNDS.

- OTHER RESTRICTIONS:
- 1) SPECIAL AREA CLOSURES AND OTHER AREA RESTRICTIONS IN
THE SAN
JUANS WILL BE AS STIPULATED IN REGULATION #S18-035,
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.

LEKT SPECIFIC PROVISIONS:

- 1) LOST GEAR MUST BE LOCATED WITHIN 48 HOURS OF THE
CLOSE
OF THE FISHERY. THE OWNER OF GEAR PULLED BY
ENFORCEMENT

MORE THAN 48 HOURS AFTER THE CLOSE OF THE FISHERY
WILL
BE IN VIOLATION OF THIS REGULATION.

REGISTRATION: ALL TRIBAL FISHERS PLANNING TO PARTICIPATE IN THE REGION 1
CRAB
FISHERY MUST REGISTER AT THE TRIBAL FISHERIES 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 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 20-561 ON TREATY INDIAN FISH RECEIVING TICKETS. ALL
SUBSISTENCE CRAB HARVEST SHALL BE REPORTED ON SHELLFISH
SUBSISTENCE CARDS. CARDS ARE AVAILABLE AT THE TRIBAL
FISHERIES
OFFICE.

JUSTIFICATION: CONTINUE HARVEST OF THE TREATY SHARE OF CRAB IN REGION 1.
CLOSING EARLY DUE TO QUOTA HAS BEEN TAKEN

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