



# LUMMI INDIAN BUSINESS COUNCIL

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## 2021-57 REGION 1 CRAB 4.6 REGULATION

Filing Date: 8/3/2021

Supersedes Reg: 2021-56

Filing Organization: Lummi

EFFECTIVE DATES:	Effective from August 04 2021 to August 05 2021, or until superseded or Treaty harvest is taken
AFFECTED ORGANIZATIONS	WDFW, NWIFC, Point No Point Treaty Council, Suquamish, Tulalip, Swinomish, Upper Skagit, Nooksack, Port Gamble, Lower Elwha, and Jamestown Tribes
CATCH AREA	WDFW MFSFCR Areas 20B, 21A, 21B, 22A, and 22B.
ON/OFF RESERVATION	On/Off
FISHERY TYPE	Commercial
LEGAL GEAR	Pot and ring gear
EXPECTED EFFORT	250 Boats
DAYS/HOURS	OPEN: Noon, Wednesday August 4, 2021 CLOSE: 8:00 PM, Thursday August 5, 2021 or when the treaty share of 2,200,000 pounds is taken, whichever comes first
TRIBE-SPECIFIC RESTRICTIONS	<ol style="list-style-type: none"><li>1. No more than 30 tagged pots per fisher and boat.</li><li>2. Towing a skiff, or second vessel, and working two sets of gear from one vessel is not allowed.</li><li>3. Must have a valid treaty crab fishing ID card on person.</li><li>4. Pots must be registered with the Lummi Natural Resources Department.</li><li>5. Only standard commercial crab pots with two escape rings of not less than 4 ¼ inch inside diameter fixed on the upper half of the pot can be used.</li><li>6. Each pot must have a 3-inch by 5-inch biodegradable cord panel (natural fiber, maximum thread size 120, or approximately 1/8-inch) or a biodegradable loop attached to the pot lid hook.</li><li>7. Each pot must be attached to a surface buoy capable of floating with a 5-pound weight attached and clearly marked with the registered owners fishing ID number.</li><li>8. Pots may not be harvested between one hour after sunset and one hour before sunrise.</li><li>9. All gear shall be removed from the water by the closure of the opening.</li><li>10. In the event that weather or mechanical failure prevent safe removal of pots and harvest by fishery closure, fisher must immediately notify Lummi Law Enforcement at 360-312-2000, 360-312-2274 or 360-927-0165.</li><li>11. Must comply with all provisions of Title 10 of the Lummi Code of Laws.</li></ol>
IN-COMMON RESTRICTIONS	<ol style="list-style-type: none"><li>1. In addition to those restrictions above, the following restrictions, which all Region 1 tribes are imposing for this opening, notwithstanding any contrary provisions in their respective tribal codes, all apply:</li><li>2. It is prohibited to barge pots or tow boats for the purposes of hauling gear before, during, or after the fishery opening.</li><li>3. Each boat shall have one permit per boat and not fish more than 30 pots.</li><li>4. All buoys must be marked with the vessel number of the boat fishing that gear.</li><li>5. Pots must be set and picked by the registered owner of the commercial gear and vessel identified at the time of registration;</li><li>6. 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.</li><li>7. Fishers shall not have crab on board a vessel while recovering pots after closure of the fishery.</li><li>8. 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.</li><li>9. It is unlawful to have on board a vessel, purchase or attempt to sell soft crab.</li><li>10. There shall be no crab in transit to a buyer more than 4-hours after the close of a fishery.</li></ol>

## JUSTIFICATION

This regulation is a Shellfish Implementation Plan paragraph 4.6 notice to proceed with harvest in the absence of a co-manager agreement for the 2021-2022 Region 1 Dungeness Crab Harvest Management Plan and is promulgated pursuant to Chapter 10.6 of the Lummi Law and Order Code.