



**LUMMI INDIAN BUSINESS COUNCIL**  
2665 Kwina Road, Bellingham WA 98226. (360) 312-2000  
Natural Resources Department. fisheryregulations@lummi-nsn.gov

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**2024-028 REGION 1 CRAB 4.6 REGULATION**

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Filing Date:  
4/12/2024

Supersedes Reg:  
2024-19C

Filing Organization: Lummi

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**EFFECTIVE DATES** 4/12/2024 to 5/31/2024

**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 20A, 20B, 22A, 22B, 21A, and 21B

21A, 21B, and 22B close April 1st 2024, except that portion of 21A on reservation west of a line from Point Francis to Treaty Rock (Smith Gardens) and north of a line from Carter Point to the northern most tip of Sinclair.

**ON/OFF** On/Off

**RESERVATION**

**FISHERY TYPE** Commercial

**LEGAL GEAR** Pot and ring gear

**EXPECTED EFFORT** 250 Boats

**DAYS/HOURS** OPEN: 8 AM Thursday, March 21st 2024  
CLOSE: 5 PM Wednesday April 17th 2024, or when the treaty share of 2,300,000 lbs is taken.

Areas 21A, 21B, and 22B have not met extension criteria as outlined in Appendix D of the draft 2023-2024 Region 1 Dungeness Crab Harvest Management Plan and will close April 1st 2024 (except for the portion of 21A defined above)

**TRIBE-SPECIFIC RESTRICTIONS**

1. No more than 50 tagged pots per fisher and boat
2. Towing a skiff, or second vessel with the intent of working additional sets of gear without the registered gear owner on board, is not allowed.
3. Must have a valid treaty crab fishing ID card on person.
4. Pots must be registered with the Lummi Natural Resources Department.
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. 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. 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, except in the case of groundlines.
6. Groundlines may be fished by permit only, in areas of high vessel traffic. Each individual pot in a groundline must have a buoy tag zip-tied to it.
7. Pots may not be harvested between one hour after sunset and one hour before sunrise.
8. All gear shall be removed from the water by the closure of the opening.
9. Mink is allowed to be used as bait only when placed in a bait jar or other containment device that does not allow the crab to access or consume the mink meat.
10. Mink meat should not be disposed in any areas with an open crab fishery. Mink may be disposed in areas closed to crab fishing or after a crab opening has closed.
11. 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.
12. Must comply with all provisions of Title 10 of the Lummi Code of Laws.

## IN-COMMON RESTRICTIONS

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:

1. It is prohibited to barge pots or tow boats for the purposes of hauling gear before, during, or after the fishery opening. 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 50 registered tagged or zip-tied pots. Zip ties may only be used for marking pots in this opener and only by tribes transitioning to use of a pot tagging system when tags are not available. All other tribes with a pot tagging system in place shall use the appropriate tags for this fishery.
4. All buoys must be marked with the vessel number of the boat 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 three sets of gear as long as the registered owner or operator of that gear is on board the boat working the gear.
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.
8. 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.
9. Fishers shall not have crab on board a vessel while recovering pots after closure of the fishery.
10. 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.
11. It is unlawful to have on board a vessel, purchase or attempt to sell soft crab.
12. There shall be no crab in transit to a buyer more than 4-hours after the close of a fishery.

## 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 2023-2024 Region 1 Dungeness Crab Harvest Management Plan and is promulgated pursuant to Chapter 10.6 of the Lummi Law and Order Code.