



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

2024-059D REGION 3-1 CRAB 4.6 REGULATION

Filing Date: 8/6/2024 Supersedes Reg: None

Filing Organization: Lummi

EFFECTIVE DATES	8/20/2024 to 5/31/2025
AFFECTED ORGANIZATIONS	WDFW, NWIFC, Point No Point Treaty Council, Suquamish, Tulalip, Swinomish, Port Gamble, Lower Elwha, and Jamestown Tribes
CATCH AREA	Those portions of Washington State Marine Fish and Shellfish Catch Reporting and Management Areas 23A and 23B north of a line from Trial Island light (off Victoria, BC) to vessel traffic lane buoy "R" (between Hein Bank and Dungeness Spit) to the Point Wilson light. This regulation opens a portion of the Lummi Nation usual and accustomed fishing grounds and stations
ON/OFF RESERVATION	Off
FISHERY TYPE	Commercial
LEGAL GEAR	Pot and ring gear
EXPECTED EFFORT	20 Boats
DAYS/HOURS	OPEN: 8 AM October 1st, 2024 CLOSE: 2 PM October 9th, 2024, or when the treaty share is taken, whichever comes first.
TRIBE-SPECIFIC RESTRICTIONS	<ol style="list-style-type: none">1. No more than 30 pots per fisher and boat.2. Towing a skiff, or second vessel, and working two sets of gear from one vessel 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.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.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, except in the case of groundlines.8. Groundlines may be fished by permit only, in areas of high vessel traffic.9. Pots may not be harvested between one hour after sunset and one hour before sunrise.10. All gear shall be removed from the water by the closure of the opening.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-COMMON RESTRICTIONS: In addition to those restrictions above, the following restrictions, which all Region 3-1 tribes are imposing for this 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.

JUSTIFICATION

This regulation is a Shellfish Implementation Plan 4.6 notice to proceed with harvest in absence of co-manager agreement for the 2024-25 Region 3 Dungeness Crab Harvest Management Plan and is promulgated pursuant to Chapter 10.6 of the Lummi Law and Order Code.