POINT NO POINT TREATY COUNCIL SECTION 4.6 CRAB REGULATION FOR REGION 1

The following regulation is promulgated by the Point No Point Treaty Council and shall govern the conduct of off-reservation commercial Dungeness crab fisheries by the Port Gamble S'Klallam and the Jamestown S'Klallam Tribes in Region 1. The term of this regulation is from June 1, 2025 through May 31, 2026, unless superceded, and is intended to regulate the Dungeness crab harvest by the Port Gamble and Jamestown Tribes in Region 1 under provisions of Paragraph 4.6 of United States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the Region 1 Crab Harvest Management Plan is completed before the end of this regulation term, this regulation will be superceded by a new regulation conforming to the provisions of the Region 1 Crab Harvest Management Plan.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:	POINT NO POINT TREATY COUNCIL
REGULATION NUMBER:	#S25-078
DATE ADOPTED:	JUNE 3, 2025
REGULATION MODIFIED	REGULATION #S25-066, SECTIONS 5 AND 7a.
REGULATION SUPERCEDED:	NONE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 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 (*Metacarcinus magister*) AND RED ROCK CRAB (*Cancer productus*)
ON/OFF RESERVATION:	OFF
EFFECTIVE DATES:	JUNE 17, 2025 THROUGH MARCH 31, 2026
DAYS/HOURS:	

FOR THE PORT GAMBLE S'KLALLAM TRIBE AND THE JAMESTOWN S'KLALLAM TRIBE: **OPEN ON OR AFTER JUNE 17, 2025. ACTUAL DAYS AND HOURS WILL BE SET IN A SUBSEQUENT AND SUPERSEDING REGULATION.**

LEGAL GEAR:

1. AS PER REGULATION #S25-066, 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. MAXIMUM OF 30 BUOY-TAGGED POTS PER VESSEL.

EXPECTED HARVEST:

THE TRIBAL HARVEST TARGET FOR REGION 1 IS 2.3 MILLION POUNDS.

OTHER RESTRICTIONS:

1. SPECIAL AREA CLOSURES AND OTHER AREA RESTRICTIONS IN THE SAN JUANS WILL BE AS STIPULATED IN REGULATION #S25-066, SECTION 6.
2. THE MINIMUM SIZE FOR HARVEST IS 6 1/4 INCHES FOR DUNGENESS CRAB AND 5 INCHES FOR RED ROCK CRAB. MINIMUM SIZE IS MEASURED AS CALIPER LENGTH 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 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 A POINT NO POINT TREATY COUNCIL TRIBAL 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. FISHERS WISHING TO TEND THE GEAR OF ANOTHER FISHER ON A TEMPORARY BASIS MUST OBTAIN A GEAR-TENDING PERMIT SPECIFIC TO THAT FISHER, FROM THEIR TRIBAL FISHERIES OFFICE. TRIBAL FISHERIES STAFF MAY DECLINE REQUESTS FOR PERMITS. PERMITS WILL BE VALID FOR A LIMITED PERIOD OF TIME. ADDITIONAL INFORMATION IS AVAIALBLE FROM THE RESPECTIVE TRIBAL FISHERIES STAFF.
8. ALL COMMERCIAL CRAB SALES INTENDED FOR RESALE MUST BE MADE TO TRIBALLY APPROVED BUYERS WHO HAVE FILLED OUT A BUYER'S AGREEGMENT WITH EITHER THE PORT GAMBLE OR JAMESTOWN TRIBE.

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 AND POTENTIAL BUYERS THAT FISHERS INTEND TO SELL TO.

CATCH REPORTING:

1. ALL COMMERCIAL CATCHES SHALL BE REPORTED ON 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.
2. JAMESTOWN TRIBAL BUYERS MUST RETURN COMPLETED FISH TICKETS INTO JAMESTOWN'S FISHERIES OFFICE NO LATER THAN 6 DAYS FOLLOWING COMMERCIAL HARVEST.

LOST GEAR REPORTING:

1. ALL FISHERS MUST REPORT LOST GEAR TO ENFORCEMENT IMMEDIATELY FOLLOWING THE FISHERY.
2. PORT GAMBLE FISHERS MUST FILL OUT A LOST POT FORM AND SUBMIT IT TO THEIR RESPECTIVE NATURAL RESOURCES OFFICE WITHIN 24 HOURS OF THE CLOSE OF THE FISHERY.

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. 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.
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 FOUR HOURS AFTER THE CLOSE OF THE FISHERY.

JUSTIFICATION:

COMMENCE TREATY HARVEST OF AVAILABLE CRAB IN REGION 1