

INTERNATIONAL FISHERIES
COMMISSION

Pacific
Halibut Fishery
Regulations

Effective May 11, 1937

REGULATIONS OF THE INTERNATIONAL FISHERIES COMMISSION
ADOPTED PURSUANT TO THE PACIFIC HALIBUT FISHERY CONVENTION
BETWEEN THE DOMINION OF CANADA AND THE UNITED STATES
OF AMERICA, SIGNED MAY 9, 1930

1. The convention waters shall be divided into the following areas, all directions given being magnetic.

(a) Area 1 shall include all convention waters southeast of a line running northeast and southwest through Willapa Bay light on Cape Shoalwater, as shown on Chart 6185 published in May, 1926, by the United States Coast and Geodetic Survey, which light is approximately in latitude 46°43'07" N., longitude 124°04'18" W.

(b) Area 2 shall include all convention waters off the coasts of the United States of America and of Alaska and of the Dominion of Canada between Area 1 and a line running through the most westerly point of Glacier Bay, Alaska, to Cape Spencer Light as shown on Chart 8304 published in September, 1923, by the United States Coast and Geodetic Survey, which light is approximately latitude 58°11'48" N., longitude 136°38'24" W., thence south one-quarter east.

(c) Area 3 shall include all the convention waters off the coast of Alaska that are between Area 2 and a straight line running south from the southwestern extremity of Cape Sagak on Umnak Island, at a point approximately latitude 52°41'25" N., longitude 168°58'05" W., and that are south of the Alaska Peninsula and of the Aleutian Islands including the intervening straits or passes.

(d) Area 4 shall include all convention waters not included in Areas 1, 2, and 3.

2. The catch of halibut to be taken during the fishing season of 1937 from Area 2 shall be limited to approximately 21,700,000 pounds of salable halibut, and from Area 3 to approximately 24,300,000 pounds of salable halibut, or, if the International Fisheries Commission shall at any time so decide, the catch shall not be limited separately in Areas 2 and 3, but shall be limited to 46,000,000 pounds of salable halibut from the combined Areas 2 and 3, the weights in each or any such limit to be computed as with heads off and entrails removed. The International Fisheries Commission shall as early in the said year as is practicable determine and announce to the respective Governments the

date on which it deems each such limit of catch will be attained, and the limit of each such catch shall then be that which shall be taken prior to said date, and the area or areas to which such limit applies shall at that date be closed to all halibut fishing for the duration of the close season as defined and modified in Section 5 of these regulations provided that if it shall at any time become evident to the International Fisheries Commission that the limit will not be reached by such date it may substitute another date, provided also that the International Fisheries Commission may fix any date subsequent to November 1 as the commencement of the close season regardless of the catch which it deems will be attained by such date, and provided further that nothing in this regulation shall prohibit the fishing for other species of fish and fishing by the International Fisheries Commission as provided for in Article 1 of the Treaty.

3. (a) All vessels of five tons net or over which shall fish halibut with set lines or bottom nets or trawls and all vessels which shall fish for halibut in any manner and which shall transport the same from one area as defined by these regulations to another such area for landing or for sale, must be licensed by the International Fisheries Commission prior to such fishing operations. This license shall be issued without fee by the customs officers of either Government or by the International Fisheries Commission representatives, and each such vessel shall at all times carry this license, which license shall at all times be subject to inspection by authorized officers of either Government or by representatives of the International Fisheries Commission.

(b) The license shall not be valid unless validated before departure is allowed from the port of last clearance prior to each fishing operation for which statistical returns are required, and such validation shall be void within 45 days thereafter unless renewed within that period. The area or areas as defined in Section 1 in which fishing operations are to be carried on during the next succeeding voyage

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must be entered on the face of the license prior to said validation. This validation shall be by customs officers or International Fisheries Commission representatives and shall not be made unless the provisions of Section 3 (c) and 3 (d) of these regulations have been complied with for all landings and all fishing operations since issue of the license provided that if the master or operator of any vessel shall fail to comply with the provisions of Section 3 (c) and 3 (d) the license of such vessel may be validated by authorized representatives of the International Fisheries Commission upon evidence either that there has been a judicial determination of the offense or that the said master or operator is no longer responsible for, nor sharing in, the operations of the vessel licensed. A new license may be issued by the officer accepting statistical return at any time to vessels which shall have furnished proof of loss of the license form previously issued, or when there shall be no further space for record of validation thereon, providing the receipt of statistical return shall be shown on the new form for any halibut taken during or after the voyage upon which loss has occurred. The old license form shall be forwarded in each case to the International Fisheries Commission.

(c) Statistical return as to the amount of fish of each species taken during the fishing operations must be made by the master or operator of any licensed vessel within 48 hours of landing, sale, or transfer of halibut, or of first port entry thereafter, except that within any area in which the catch is not limited by these regulations the master or operator of licensed vessels shall at all times keep with the license such records as are necessary to make statistical return which shall be made at such times as shall be required by the International Fisheries Commission or by customs officers. The statistical return must state the port of landing, the amount taken within each area defined in Section 1 of these regulations, and the dates of operation in each such area. The total return must include all halibut landed or transferred to other vessels and must be full, true, and correct in all respects herein required. The master, operator, and/or any other person en-

gaged on shares in the operation of any vessel licensed under these regulations may be required by the International Fisheries Commission or by any officer receiving such return to certify to its correctness to the best of his information and belief and to support the certificate by a sworn statement. A copy of such return must be forwarded by the customs officer to the International Fisheries Commission at such times as the latter shall require.

(d) The master or operator of any vessel licensed under these regulations shall keep an accurate log of all fishing operations including therein date, locality, amount of gear used, and amount of halibut taken daily in each such locality. This log record shall be open to inspection of authorized representatives of the International Fisheries Commission. The master, operator, and/or any other person engaged on shares in the operation of any vessel licensed under these regulations may be required by the International Fisheries Commission or by any officer of either Government to certify to the correctness of such log record to the best of his information and belief and to support the certificate by a sworn statement.

(e) When required for purposes of the Treaty all persons, firms, or corporations that shall buy halibut from fishing or transporting vessels shall keep and on request furnish to the International Fisheries Commission records of each purchase of halibut, showing date, locality of purchase, name of vessel purchased from, and the amount in pounds according to trade categories. Such persons, firms, or corporations may be required to certify to the correctness of such records and to support the certificate by a sworn statement.

4. The following areas having been found to be populated by small immature halibut, are hereby closed to all halibut fishing:

First, that area in the waters off the coast of Alaska within the following boundary as stated in terms of the magnetic compass unless otherwise indicated; from the north extremity of Cape Ulitka, Noyes Island approximately latitude 55° 33' 42" N., longitude 133° 43' 39" W., to the south extremity of Wood Island, approxi-

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mately latitude 55° 39' 38" N., longitude 133° 42' 32" W.; thence to the east extremity of Timbered Islet, approximately latitude 55° 41' 42" N., longitude 133° 47' 45" W.; thence to the true west extremity of Timbered Islet, approximately latitude 55° 41' 41" N., longitude 133° 48' 04" W.; thence southwest three-quarters south sixteen and five-eighths miles to a point approximately latitude 55° 35' 00" N., longitude 134° 14' 45" W.; thence southeast by south twelve and five-eighths miles to a point approximately latitude 55° 22' 24" N., longitude 134° 13' 05" W.; thence northeast fourteen miles to the southern extremity of Cape Addington, Noyes Island, latitude 55° 26' 06" N., longitude 133° 49' 14" W.; and to the point of origin on Cape Ulitka. The boundary lines herein indicated shall be determined from Chart 8157, as published by the United States Coast and Geodetic Survey at Washington, D. C., in April, 1925, except for the point of Cape Addington which shall be determined from Chart 8158, as published by the United States Coast and Geodetic Survey in December, 1923, provided that the duly authorized officers of the United States of America may at any time place a plainly visible mark or marks at any point or points as nearly as practicable on the boundary line defined herein, and such mark or marks shall thereafter be considered as correctly defining said boundary.

Second, that area lying in the waters off the north coast of Graham Island, British Columbia, within the following boundary: From the northwest extremity of Wiah Point, latitude 54° 06' 50" N., longitude 132° 19' 18" W., true north five and one-half miles to a point approximately latitude 54° 12' 20" N., longitude 132° 19' 18" W.; thence true east approximately sixteen and three-tenths miles to a point which shall lie northwest (according to magnetic compass at any time), of the highest point of Tow Hill, Graham Island, latitude 54° 04' 24" N., longitude 131° 48' 00" W.; thence southeast to the said highest point of Tow Hill. The points on the shoreline of the above mentioned island shall be determined from Chart 3754, published

at the Admiralty, London, April 11, 1911, provided that the duly authorized officers of the Dominion of Canada may at any time place a plainly visible mark or marks at any point or points as nearly as practicable on the boundary line defined herein, and such marks shall thereafter be considered as correctly defining said boundary.

5. Under the authority of Article 1 of the aforesaid Convention the close season as therein defined shall be modified so as to end at 12 midnight of March 15 of 1937 and at 12 midnight of March 31 of each year thereafter and shall begin at 12 midnight of November 30 of each year unless an earlier date is determined upon by the International Fisheries Commission under the provisions of Section 2 of these regulations as that on which it deems the limitation of catch for such area shall be attained provided that the close season in Area 2 or 3 whichever shall be later shall apply to Area 4, and that the close season for Area 2 shall apply to Area 1.

6. The use of any hand gurdy or other appliance in hauling halibut gear by hand power in any dory or small boat operated from a vessel licensed under the provisions of these regulations is prohibited in Areas 1 and 2.

7. These regulations shall supersede all previous regulations adopted pursuant to the Convention between the Dominion of Canada and the United States of America for preservation of the halibut fishery of the northern Pacific Ocean and Bering Sea, signed May 9, 1930.

GEORGE J. ALEXANDER,
Chairman.

FRANK T. BELL.
A. J. WHITMORE.
EDWARD W. ALLEN,
Secretary.

Approved:

FRANKLIN D. ROOSEVELT,
May 11, 1937

Approved by THE GOVERNOR
GENERAL OF THE DOMINION
OF CANADA, by Order in Council
of April 23, 1937, P. C. 915.
Regulations adopted March, 1937.