

INTERNATIONAL PACIFIC HALIBUT COMMISSION

**Pacific
Halibut Fishery
Regulations
1980**

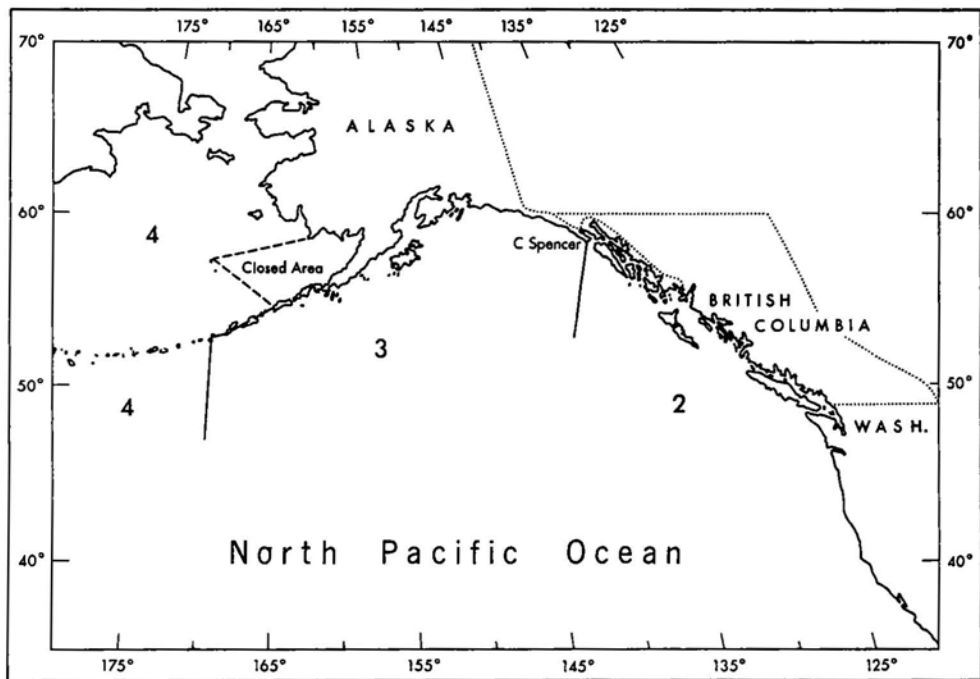
INTERNATIONAL PACIFIC HALIBUT COMMISSION

P. O. BOX 5009, UNIVERSITY STATION

SEATTLE, WASHINGTON 98105

TELEPHONE

(206) 634-1838



Regulatory areas for the Pacific halibut fishery, 1980

REGULATIONS OF THE INTERNATIONAL PACIFIC
HALIBUT COMMISSION ADOPTED PURSUANT TO THE
PACIFIC HALIBUT FISHERY CONVENTION BETWEEN
CANADA AND THE UNITED STATES OF AMERICA,
SIGNED MARCH 2, 1953

Section 1. Regulatory Areas

(a) "Convention waters" means the waters off the west coasts of the United States and Canada, including the southern as well as the western coasts of Alaska, within the respective maritime areas in which each Party exercises exclusive fisheries jurisdiction as of March 29, 1979. For purposes of this Convention, the "maritime area" in which a Party exercises exclusive fisheries jurisdiction includes without distinction areas within and seaward of the territorial sea or internal waters of that Party. All bearings are magnetic, unless otherwise stated, and all positions are determined by the most recent charts issued by the United States Coast and Geodetic Survey or National Ocean Survey.

(b) Area 2 includes all waters east of a line running northwest one-quarter west (312°) from Cape Spencer Light (latitude 58° 11' 57" N., longitude 136° 38' 18" W.), and south and east of a line running south one-quarter east (177°) from said light.

(c) Area 3 includes all waters north and west of Area 2 that are east of the meridian of 170° W., excluding the Bering Sea.

(d) Area 4 includes all waters in the Bering Sea and all waters in the Gulf of Alaska west of the meridian of 170° W.

(e) The boundary between Area 3 and Area 4 is from Cape Kabuch Light (latitude 54° 49' 00" N., longitude 163° 21' 36" W.) to Cape Sarichef Light (latitude 54° 36' 00" N., longitude 164° 55' 42" W.); then to a point in Pumicestone Bay on Unalaska Island (latitude 53° 31' 45" N., longitude 166° 58' 15" W.); then to Anangula (Ananiuliak) Island Light (latitude 52° 59' 48" N., longitude 168° 55' 06" W.); then to the point of intersection with the meridian of 170° W. on Chuginadak Island (latitude 52° 49' 42" N., longitude 170° 00' 00" W.); then true south.

Section 2. Commercial Fishing for Halibut

The regulations and requirements in Sections 3 to 12 pertain only to commercial fishing. The regulations for sport fishing are listed in Section 13.

Section 3. Fishing Seasons

(a) In Area 2 the fishing season shall be divided into four periods providing that the catch limit specified in Section 6 of these regulations is not taken earlier. The first period, in the maritime area in which the United States exercises exclusive fisheries

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jurisdiction, shall begin on May 20 and terminate on May 30, and in the maritime area in which Canada exercises exclusive fisheries jurisdiction, shall begin on May 20 and terminate on June 3. All subsequent fishing periods are identical for United States and Canadian waters and are as follows. The second period shall begin on July 15 and terminate on July 29. The third period shall begin on August 12 and terminate on August 26. The fourth period shall begin on September 9 and terminate on September 23. Each fishing period shall begin at 1500 hours and terminate at 0600 hours on the designated dates.

(b) In Area 3, the fishing season shall be divided into four periods providing that the catch limit specified in Section 6 of these regulations is not taken earlier. The first period shall begin on May 19 and terminate on June 4. The second period shall begin on July 15 and terminate on July 31. The third period shall begin on August 12 and terminate on August 26. The fourth period shall begin on September 9 and terminate on September 23. Each fishing period shall begin at 1500 hours and terminate at 0600 hours on the designated dates.

(c) In Area 4 the fishing season shall be divided into two periods providing that the catch limit specified in Section 6 of these regulations is not taken earlier. The first period shall begin on April 10 and terminate on April 30. The second period shall begin 20 days after the last closure of Area 3 as provided in sub-section (b) and terminate on November 15. Each fishing period shall begin at 1500 hours and terminate at 0600 hours on the designated dates.

(d) All hours of opening and closing shall be Pacific Standard Time.

Section 4. Closed Periods

(a) All waters shall be closed to commercial halibut fishing except as provided in Section 3 of these regulations, and the retention and landing of any halibut caught during any closed period is prohibited.

(b) Except as provided in Section 10(c), these regulations shall not prohibit fishing for species of fish other than halibut during the closed periods, provided that it shall be unlawful for a vessel to have halibut aboard, or for any person to have halibut in his possession while so engaged. Nor shall these regulations prohibit the International Pacific Halibut Commission, hereinafter referred to as "the Commission", from conducting or authorizing fishing operations for research purposes.

Section 5. Closed Area

All waters in the Bering Sea (Area 4) that are east of a line from Cape Sarichef Light to a point northeast of St. Paul Island (latitude 57° 15' 00" N., longitude 170° 00' 00" W.); and south of a line from the latter point to Cape Newenham (latitude 58° 39' 00" N., longitude 162° 10' 25" W.) are closed to halibut fishing and no person shall fish for halibut therein, or shall have halibut in his possession therein except in the course of a continuous transit across the area.

Section 6. Catch Limits

(a) The total allowable catch of halibut to be taken in Area 2 during the halibut fishing periods shall be limited to 9,300,000 pounds (4,218 metric tons). It shall be divided as follows: 3,200,000 pounds (1,452 metric tons) of the total allowable catch may be caught in the maritime area in which the United States exercises exclusive

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fisheries jurisdiction, and 6,100,000 pounds (2,767 metric tons) in the maritime area in which Canada exercises exclusive fisheries jurisdiction.

(b) The total allowable catch of halibut to be taken in Area 3 during the halibut fishing periods shall be limited to 10,000,000 pounds (4,536 metric tons).

(c) The total allowable catch of halibut to be taken in Area 4 during the halibut fishing periods shall be limited to 1,000,000 pounds (454 metric tons).

(d) The Commission will determine and announce the dates on which the catch limits will be attained in each area. Fishing for halibut in the area will be prohibited after that date.

Section 7. Size Limits

(a) No person, firm or corporation shall take or have in possession any halibut that with head on is less than 32 inches (81.3 centimeters) as measured in a straight line, passing over the pectoral fin, from the tip of the lower jaw with mouth closed, to the extreme end of the middle of the tail. If the head has been removed, a size limit of not less than 24 inches (61.0 centimeters) as measured from the base of the pectoral fin, at its most anterior point, to the extreme end of the middle of the tail shall apply (see illustration on back page).

(b) It is unlawful for any person while on a fishing vessel and engaged in commercial fishing to mutilate or otherwise disfigure a halibut in any manner which prevents determining the minimum size set forth under paragraph (a) of this section.

Section 8. Licensing of Vessels

(a) All vessels 5 net tons or over that fish for halibut with setline gear must be licensed by the Commission. Vessels of less than 5 net tons or vessels which use hook and line gear other than setlines do not need a Commission license. The Commission's license requirements do not obviate licensing requirements of State or Federal Governments.

(b) The halibut license must be carried on the vessel at all times and shall be subject to inspection by customs and fishery officers of the Governments of Canada or the United States, hereinafter referred to as "the Governments" or by representatives of the Commission.

(c) The halibut license shall be issued without fee by customs or fishery officers of the Governments or by representatives of the Commission. Halibut licenses need not be renewed except that a new license is required for a vessel that is sold, transferred, renamed or redocumented.

(d) The captain or operator of any vessel licensed under these regulations that shall fish for halibut in Area 4 shall notify the Commission representative at Sand Point, Alaska, or the Commission headquarters in Seattle, Washington, by telephone at least 48 hours before entering the area and at least 48 hours before halibut taken in the area are unloaded at any port outside the area.

(e) A halibut license shall not be valid for halibut fishing nor for possession of halibut in any area closed to halibut fishing except while in transit to an area open to

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halibut fishing, or to or within a port of sale. The license shall be invalid for the possession of halibut if the licensed vessel is fishing or attempting to fish for any species of fish in any area closed to halibut fishing.

(f) Any vessel which is not required to be licensed for halibut fishing under paragraph (a) of this section of these regulations shall not possess any halibut of any origin in any area closed to halibut fishing except while in actual transit to or within a port of sale.

(g) No person on any vessel required to be licensed under Section 8 shall fish for halibut or have halibut in his possession, unless said vessel has a valid license issued in conformity with the provisions of this section.

(h) The captain or operator of any vessel holding a license under these regulations shall keep an accurate log of all fishing operations including date, locality, amount of gear used, and amount of halibut taken daily in each such locality. This log record shall be retained for a period of two years and shall be open to inspection by authorized representatives of the Commission.

(i) The captain, operator or any other person engaged on shares in the operation of any vessel licensed under these regulations may be required by the Commission or by any officer of the Governments 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.

Section 9. Requirements for Halibut Processors

(a) All persons, firms or corporations that buy halibut or receive halibut from fishing or transporting vessels or other carrier shall keep records of each purchase or receipt of halibut, showing date, locality (statistical area), name of vessel, person, firm or corporation purchased or received from and the amount in pounds according to trade categories of the halibut.

(b) These records shall be retained for a period of two years and shall be open to inspection by officers of the Governments or by any authorized representative of the Commission. 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.

(c) The possession of halibut known to have been taken in contravention of these regulations is prohibited.

Section 10. Fishing Gear

(a) Halibut are to be taken only with hook and line gear. The retention or possession of halibut taken with any other gear, such as nets or pots, is prohibited.

(b) The retention or possession of halibut is prohibited when any commercial fishing gear other than hook and line gear or nets used solely for the capture of bait are on board.

(c) No person or vessel that has deployed any longline fishing gear in any area of convention waters during the 72 hours immediately preceding the opening of any applicable halibut fishing period shall catch, retain, or possess halibut in convention

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waters prior to the opening of the succeeding halibut fishing period.

Section 11. Retention of Tagged Halibut

Nothing contained in these regulations shall prohibit any vessel at any time from retaining and landing a halibut which bears a Commission tag at the time of capture, provided that the halibut with the tag still attached is reported at the time of landing and made available for examination by representatives of the Commission or by officers of the State, Provincial or Federal Governments.

Section 12. Supervision of Unloading and Weighing

The unloading and weighing of halibut may be subject to the supervision of customs or other authorized officers to assure the fulfillment of the provisions of these regulations.

Section 13. Sport Fishing for Halibut

(a) Sport fishing is permitted from March 1 to October 31, and may be conducted with a hook attached to a handline or rod, or by spear. Not more than two halibut of any size per person per day shall be caught, possessed or landed from a vessel that is engaged in sport fishing. After two halibut have been taken by any person, those halibut shall be landed before that person takes more halibut on any succeeding day.

(b) No sport-caught halibut shall be possessed aboard a vessel when the fish or shellfish aboard said vessel are destined for commercial use (sale, trade or barter).

Section 14. Previous Regulations Superseded

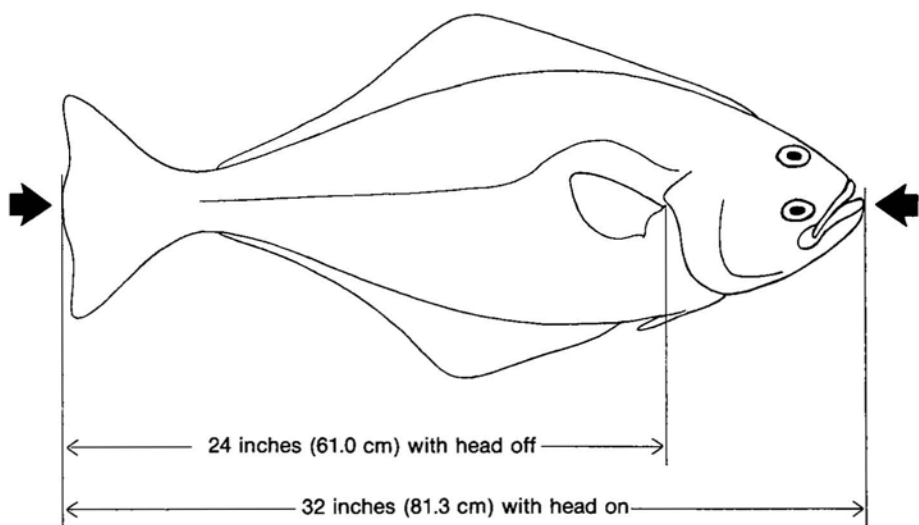
These regulations shall supersede all previous regulations of the Commission. These regulations shall be effective each succeeding year, until superseded.

MICHAEL HUNTER, Chairman
ROBERT W. SCHONING, Vice Chairman
NEILS M. EVENS
WILLIAM S. GILBERT
JOHN A. O'CONNOR
PETER C. WALLIN

Approved by:

THE GOVERNOR-GENERAL OF CANADA, by Order-In-Council

THE SECRETARY OF STATE OF THE UNITED STATES OF AMERICA



Minimum commercial size. See Section 7.

Published by the International Pacific Halibut Commission