

INTERNATIONAL PACIFIC HALIBUT COMMISSION

**Pacific
Halibut Fishery
Regulations
1985**

INTERNATIONAL PACIFIC HALIBUT COMMISSION

P.O. BOX 95009

SEATTLE, WASHINGTON 98145-2009

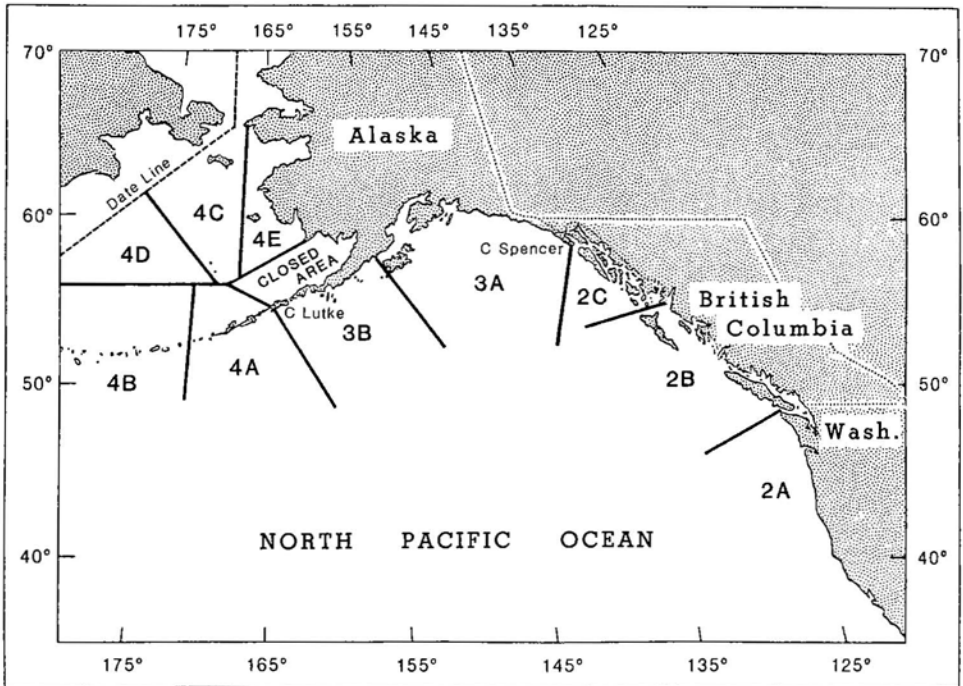
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This pamphlet is intended for informational purposes only.

Official regulations of the respective countries can be found in:

For the U.S.: Title 50 of the Code of Federal Regulations, Part 301,
Pacific Halibut Fisheries

For Canada: In the Canada Gazette



Regulatory areas for the Pacific halibut fishery.

REGULATIONS RESPECTING THE CONVENTION BETWEEN
CANADA AND THE UNITED STATES OF AMERICA
FOR THE PRESERVATION OF THE HALIBUT FISHERY OF THE
NORTHERN PACIFIC OCEAN AND BERING SEA

Short Title

1. These regulations may be cited as the Pacific Halibut Fishery Regulations.

Interpretation

2. (1) In these Regulations,

“charter vessel” means a vessel used for hire in sport fishing for halibut;

“commercial fishing” means fishing the resulting catch of which either is or is intended to be sold or bartered;

“Commission” means the International Pacific Halibut Commission;

“fishing” means the taking, harvesting, or catching of fish; or any activity that can reasonably be expected to result in the taking, harvesting, or catching of fish, including specifically the deployment of any amount or component part of setline gear anywhere in the maritime area;

“land” with respect to halibut means to bring to shore and to offload;

“license” means a halibut fishing license issued by the Commission pursuant to sections 10 and 17;

“maritime area”, in respect of the fisheries jurisdiction of a Contracting Party, includes without distinction areas within and seaward of the territorial sea or internal waters of that Party;

“operator”, with respect to any vessel, means the master or other individual on board and in charge of that vessel;

“person” includes an individual, corporation, firm, or association;

“regulatory area” means an area referred to in section 4;

“setline gear” means one or more stationary, buoyed, and anchored lines with hooks attached;

“sport fishing” means all fishing other than commercial fishing.

(2) In these Regulations, all bearings are magnetic, unless otherwise stated, and all positions are determined by the most recent charts issued by the United States National Ocean Survey or the Canadian Hydrographic Service.

Application

3. (1) These Regulations apply to persons and vessels fishing for halibut in waters off the west coast of Canada and the United States, including the southern as well as the western coasts of Alaska, within the respective maritime areas in which each of those countries exercises exclusive fisheries jurisdiction as of March 29, 1979.

(2) Sections 4 to 16 apply only to commercial fishing for halibut.

(3) Section 17 applies only to sport fishing for halibut.

(4) These Regulations do not apply to fishing operations authorized or conducted by the Commission for research purposes.

Regulatory Areas

4. The following areas shall be regulatory areas for the purposes of the Convention:

(1) Area 2A includes all waters off the coasts of the states of California, Oregon, and Washington;

(a) Subarea 2A-1 includes all waters off the coast of Washington that are north of latitude 48°02'15"N., east of longitude 125°44'00"W., and west of longitude 123°42'30"W.

(2) Area 2B includes all waters off the coast of British Columbia;

(3) Area 2C includes all waters off the coast of Alaska that are 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;

(4) Area 3A includes all waters between Area 2C and a line extending from the most northerly point on Cape Aklek (latitude 57°41'15" N., longitude 155°35'00" W.) to Cape Ikolik (latitude 57°17'17"N., longitude 154°47'18" W.), then along the Kodiak Island coastline to Cape Trinity (latitude 56°44'50"N., longitude 154°08'44" W.), then southeast by east one-quarter east (121°);

(5) Area 3B includes all waters between Area 3A and a line extending southeast (135°) from Cape Lutke (latitude 54°29'00" N., longitude 164°20'00" W.);

(6) Area 4A includes all waters in the Gulf of Alaska west of Area 3B and in the Bering Sea west of the closed area defined in section 7 that are east of longitude 172°00'00" W. and south of latitude 56°20'00" N.;

(7) Area 4B includes all waters in the Bering Sea and the Gulf of Alaska west of Area 4A and south of latitude 56°20'00" N.;

(8) Area 4C includes all waters in the Bering Sea north of Area 4A and north of the closed area defined in section 7 which are east of a line extending true northwest (315°) from a point at latitude 56°20'00" N., longitude 170°00'00" W. and west of longitude 168°00'00" W.;

(9) Area 4D includes all waters in the Bering Sea north of Areas 4A and 4B, and west of Area 4C; and

(10) Area 4E includes all waters in the Bering Sea north of the closed area defined in section 7, east of longitude 168°00'00" W., and south of latitude 65°34'00" N.

Fishing Periods

5. (1) The fishing periods for each regulatory area are set out in the following table and in subsection (2) and apply where the catch limits specified in section 8 have not been taken, except that the June 24-26 fishing period in Areas 2C, 3A, 3B, 4A, 4B, and 4D may be modified by the commission to insure fishing in later months.

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2A	2B	2C	3A-3B	4A-4B	4D
5/09 - 5/21	4/20 - 4/29	4/27 - 4/29	4/27 - 4/29*	4/27 - 4/29	4/27 - 4/29
6/08 - 6/20	6/07 - 6/16	5/27 - 5/29	5/27 - 5/29	5/27 - 5/29	5/27 - 5/29
7/24 - 8/05	8/09 - 8/18	6/24 - 6/26	6/24 - 6/26	6/24 - 6/26	6/24 - 6/26
8/23 - 9/04	9/20 - 9/29	9/09 - 9/11	9/09 - 9/11	7/09 - 7/13	7/09 - 7/19
9/19 - 10/01	10/11 - 10/20	9/20 - *	9/20 - *	8/07 - 8/14	8/07 - 8/14
				9/20 - *	9/20 - *

4C		4E		
6/01 - 6/02	7/05 - 7/06	5/21 - 5/23	7/14 - 7/16	9/06 - 9/08
6/03 - 6/04	7/07 - 7/08	5/24 - 5/26	7/17 - 7/19	9/09 - 9/11
6/05 - 6/06	7/09 - 7/10	5/27 - 5/29	7/20 - 7/22	9/12 - 9/14
6/07 - 6/08	7/11 - 7/12	5/30 - 6/01	7/23 - 7/25	9/15 - 9/17
6/09 - 6/10	7/13 - 7/14	6/02 - 6/04	7/26 - 7/28	9/18 - 9/20
6/11 - 6/12	7/15 - 7/16	6/05 - 6/07	7/29 - 7/31	9/21 - 9/23
6/13 - 6/14	7/17 - 7/18	6/08 - 6/10	8/01 - 8/03	9/24 - 9/26
6/15 - 6/16	7/19 - 7/20	6/11 - 6/13	8/04 - 8/06	9/27 - 9/29
6/17 - 6/18	7/21 - 7/22	6/14 - 6/16	8/07 - 8/09	9/30 - 10/02
6/19 - 6/20	7/23 - 7/24	6/17 - 6/19	8/10 - 8/12	10/03 - 10/05
6/21 - 6/22	7/25 - 7/26	6/20 - 6/22	8/13 - 8/15	10/06 - 10/08
6/23 - 6/24	7/27 - 7/28	6/23 - 6/25	8/16 - 8/18	10/09 - 10/11
6/25 - 6/26	7/29 - 7/30	6/26 - 6/28	8/19 - 8/21	10/12 - 10/14
6/27 - 6/28	7/31 - 8/01	6/29 - 7/01	8/22 - 8/24	10/15 - 10/17
6/29 - 6/30	8/02 - 8/03	7/02 - 7/04	8/25 - 8/27	10/18 - 10/20
7/01 - 7/02	8/04 - 8/05	7/05 - 7/07	8/28 - 8/30	10/21 - 10/23
7/03 - 7/04	8/07 - *	7/08 - 7/10	8/31 - 9/02	10/24 - 10/26
		7/11 - 7/13	9/03 - 9/05	10/27 - 10/29

*Date to be announced by the Commission.

(2) In subarea 2A-1

(a) the fishing season shall commence on April 20 and terminate when the catch limit specified in section 8 for Area 2A is reached, or on October 1, whichever is earlier;

(b) fishing in Subarea 2A-1 at times when fishing in Area 2A is closed is authorized only for persons holding valid identification cards issued pursuant to 25 CFR section 249.3 and whose historic halibut fishing is documented and has been acknowledged by an executive agency of the United States.

(3) Notwithstanding subsection (1), where Area 3A is closed under section 8 on a date before the attainment of the catch limit in Area 3B, Area 3B will close on the same date.

(4) Where Area 3B is closed under subsection (3), it shall reopen on the next scheduled opening date on the schedule of fishing periods referred to in subsection (1) and continue on that schedule until the catch limit specified in section 8 is attained.

(5) Each fishing period shall begin and terminate at 1200 hours Pacific Standard Time on the date set out in the table to this section, unless the Commission specifies otherwise.

(6) All commercial fishing for halibut shall cease at 1200 hours Pacific Standard Time on October 31.

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Closed Periods

6. (1) No person shall engage in fishing for halibut in any regulatory area other than during the fishing periods set out in section 5 in respect of that area.
- (2) No person shall land or otherwise retain halibut caught outside a fishing period applicable to the regulatory area where the halibut was taken.
- (3) Subject to subsections 14(8) and (9), these Regulations do not prohibit fishing for any species of fish other than halibut during the closed periods.
- (4) Notwithstanding subsection (3), no person shall have halibut in his possession while fishing for any other species of fish during the closed periods.
- (5) No person shall retrieve any halibut fishing gear from a closed area until the vessel first offloads any halibut on board and then obtains a hold inspection from a fishery officer or a representative of the Commission, except as provided in subsection (6).
- (6) A vessel that has no halibut on board may retrieve any halibut fishing gear in a closed area after notifying a fishery officer or representative of the Commission prior to that retrieval.
- (7) After retrieval of halibut gear in accordance with subsections (5) and (6) the vessel shall submit to a hold inspection at the discretion of the fishery officer or representative of the Commission.
- (8) No person shall retain any halibut caught on gear retrieved under subsections (5) or (6).

Closed Area

7. All waters in the Bering Sea that are east of a line from Cape Sarichef Light (latitude 54°36'00" N., longitude 164°55'42" W.) to a point at latitude 56°20'00" N., longitude 168°30'00" 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 have halibut in his possession while in those waters except in the course of a continuous transit across those waters.

Catch Limits

8. (1) The total allowable catch of halibut to be taken during the halibut fishing periods specified in section 5 shall be limited to the weight expressed in pounds or metric tons shown in the following table:

Regulatory Area	Catch Limits	
	Pounds	Metric Tons
2A	500,000	227
2B	10,000,000	4,536
2C	9,000,000	4,082
3A	23,000,000	10,433
3B	9,000,000	4,082
4A	1,700,000	771
4B	1,300,000	590
4C	600,000	272
4D	600,000	272
4E	50,000	23

(2) Catches taken in Subarea 2A-1 shall be a part of the total allowable catch specified in subsection (1) for Regulatory Area 2A.

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- (3) The weights in each catch limit shall be computed on the basis that the heads of the fish are off and their entrails removed.
- (4) The Commission shall determine and announce to the public the date on which the catch limit for each regulatory area will be taken and the specific dates during which fishing will be allowed in each regulatory area.
- (5) If the Commission determines that the catch limit specified in subsection (1) would be exceeded in a 24-hour fishing period in any regulatory area, the catch limit for that area shall be considered to have been taken.
- (6) Notwithstanding subsection (1), Areas 3A and 3B shall both be closed if the catch limit of 32,000,000 pounds (14,515 metric tons) for the combined areas is taken.
- (7) When under subsections (4), (5), or (6) the Commission has announced a date on which the catch limit for a regulatory area will be taken, no person shall fish for halibut in that area after that date for the rest of the year, unless the Commission has announced the reopening of that area for halibut fishing.

Size Limits

9. (1) No person shall take or possess any halibut that
 - (a) with the head on, is less than 32 inches (81.3 cm) as measured in a straight line, passing over the pectoral fin from the tip of the lower jaw with the mouth closed, to the extreme end of the middle of the tail, as illustrated in the schedule, or
 - (b) with the head removed, is less than 24 inches (61.0 cm) as measured from the base of the pectoral fin at its most anterior point to the extreme end of the middle of the tail, as illustrated in the schedule.
- (2) No person shall mutilate or otherwise disfigure a halibut in any manner that prevents the determination of the minimum size of the halibut for the purpose of subsection (1).

Licensing of Vessels

10. (1) The Commission may issue a license in respect of a vessel used for halibut fishing.
- (2) No person shall fish for halibut from a vessel, nor possess halibut caught from a vessel, unless the Commission has issued a license in respect of that vessel.
- (3) A license issued in respect of a vessel referred to in subsection (2) must be carried on that vessel at all times and the holder of it shall permit its inspection by customs and fishery officers of the Contracting Parties.
- (4) A license shall be issued without fee by the Commission from its office in Seattle, Washington, upon receipt of a completed "Application for Vessel License for the Halibut Fishery" form.
- (5) Application forms may be obtained from customs or fishery officers of either Contracting Party, or from the Commission.
- (6) Licenses issued under this section shall be valid only during the year in which they are issued.
- (7) A new license is required for a vessel that is sold, transferred, renamed, or redocumented.
- (8) No person shall
 - (a) fish for halibut while on board a vessel in respect of which the Commission has issued a license while that vessel is in an area where commercial fishing for halibut is not permitted under these regulations; or

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(b) possess halibut while on board a vessel referred to in paragraph (a) in an area referred to in that paragraph unless that vessel is in transit to or within a port in which that halibut may be lawfully sold.

(9) The license required under this section is in addition to any license, however designated, that is required under the laws of Canada or any of its Provinces or the United States or any of its States.

Vessel Clearance and Hold Inspection

11. (1) No person other than a person who lands all of his halibut catch at a port within Area 4A, 4B, 4C, 4D, 4E, or the closed area defined in section 7 shall fish for halibut in Area 4A, 4B, or 4D from a vessel for which a license is required under these regulations, unless the operator of that vessel obtains a vessel clearance and hold inspection both before such fishing and before the unloading of any halibut caught in Area 4A, 4B, or 4D.

(2) No person other than a person who lands all of his halibut catch at a port within Area 4C may fish for halibut in Area 4C from any vessel, unless the operator of that vessel obtains a vessel clearance and hold inspection both before such fishing in each fishing period that applies to Area 4C and before the unloading of any halibut caught in that Area.

(3) No person other than a person who lands all of his halibut catch at a port within Area 4E, or the closed area defined in section 7 may fish for halibut in Area 4E from any vessel, unless the operator of that vessel obtains a vessel clearance and hold inspection both before such fishing in each fishing period that applies to Area 4E and before the unloading of any halibut caught in that Area.

(4) The vessel clearance and hold inspection required under subsections (1), (2), and (3) may be obtained only at Dutch Harbor, Alaska, from a customs or fishery officer of the United States or a representative of the Commission.

(5) Vessel clearances and hold inspections required under subsections (1), (2), and (3) prior to fishing in Area 4 shall be obtained within the 120-hour period before each of the openings in that Area, between 0600 and 1800 hours, local time.

(6) No halibut shall be on board at the time of inspection required by subsection (5).

(7) Vessel clearances and hold inspections required under subsections (1), (2), and (3) after fishing in Area 4 shall be obtained within the 120-hour period after each of the openings in that Area, between 0600 and 1800 hours, local time.

(8) The vessel clearance and hold inspection required under subsections (2) and (3) is not valid if the vessel has fished for halibut in Area 4A, 4B, or 4D after obtaining the clearance and inspection required for such fishing.

Logs

12. (1) The operator of any vessel five (5) net tons or greater holding a license shall keep an accurate log of all fishing operations undertaken under the license including the date, locality, amount of gear used, and total weight of halibut taken daily in each locality.

(2) The log referred to in subsection (1) shall be

(a) updated not later than 24 hours after midnight local time for each day fished and within 24 hours following the closure of the area in which the vessel is fishing;

(b) retained for a period of two years by the owner or operator of the vessel;

(c) open to inspection by a fishery officer or any authorized representative of the Commission upon demand; and

(d) kept on board the vessel when engaged in halibut fishing, during transits to port of landing, and for 5 days following off-loading halibut.

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- (3) No person shall make a false entry in a log referred to in subsection (1).

Receipt and Possession of Halibut

13. (1) A person who purchases or otherwise receives halibut from the owner or operator of the vessel from which that halibut was caught, either directly from that vessel or through another carrier, shall keep an accurate record of each such purchase or receipt, showing the date, locality, name of vessel, Halibut Commission license number, and the name of the person from whom the halibut was purchased or received and the amount in pounds according to trade categories of the halibut.

- (2) The record referred to in subsection (1) shall be

(a) retained by the person keeping it for a period of two years from the date the record is made; and

(b) open to inspection by a fishery officer or any authorized representative of the Commission.

(3) No person shall possess any halibut that he knows to have been taken in contravention of these Regulations.

(4) When halibut are delivered to other than a commercial fish processor or primary fish buyer, the records required by subsection (1) shall be maintained by the operator of the vessel from which that halibut was caught, in compliance with subsection (2).

Fishing Gear

14. (1) No person shall fish for halibut using any gear other than hook and line gear.

(2) No person shall possess halibut taken with any gear other than hook and line gear except as provided in section 15.

(3) No person shall possess halibut while on board a vessel containing any fishing gear other than hook and line gear or nets that are used solely for the capture of bait.

(4) At times when Area 2A is closed no person authorized to fish in Subarea 2A-1 shall fish for halibut in that subarea using gear other than a handline or nonpowered rod and reel with no more than two hooks attached.

(5) At times when Area 2A is closed no person authorized to fish in Subarea 2A-1 shall possess halibut in that subarea taken with gear other than a handline or nonpowered rod and reel with no more than two hooks attached.

(6) All setline or skate marker buoys carried aboard or used by any United States vessel used for halibut fishing in a regulatory area shall be marked with one of the following:

- (a) the vessel's name,
- (b) the vessel's state license number, or
- (c) the vessel's registration number,

which markings shall be in characters at least four inches in height and one-half inch in width in a contrasting color visible above the water and shall be maintained in legible condition.

(7) All setline or skate marker buoys carried aboard or used by a Canadian vessel used for halibut fishing in a regulatory area shall be marked as required by the British Columbia Fishery (General) Regulations.

(8) No person on board a vessel from which setline gear was used to fish for any species of fish anywhere in waters described in subsection 3(1) during the 72-hour period immediately before the opening of a halibut fishing period shall catch or possess halibut anywhere in those waters during that halibut fishing period.

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(9) No vessel from which setline gear was used to fish for any species of fish anywhere in waters described in subsection 3(1) during the 72-hour period immediately before the opening of a halibut fishing period may be used to catch or possess halibut anywhere in those waters during the halibut fishing period.

Retention of Tagged Halibut

15. Nothing contained in these Regulations prohibits any vessel at any time from retaining and landing a halibut that bears a Commission tag at the time of capture, if the halibut with the tag still attached is reported at the time of landing and made available for examination by a representative of the Commission or by an officer of the Contracting Parties or a state or provincial government.

Supervision of Unloading and Weighing

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

Sport Fishing for Halibut

17. (1) Sport fishing for halibut is only permitted from March 1 to December 31, 1985, and from February 1 to October 31, 1986.

(2) No person shall engage in sport fishing for halibut using gear other than a handline or rod with no more than two hooks attached, or a spear.

(3) No person shall catch, possess, or land more than two halibut of any size per day from a vessel that is engaged in sport fishing.

(4) After two halibut have been taken by any person engaged in sport fishing, those halibut shall be landed before that person takes more halibut on any succeeding day.

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

(6) No person shall operate a charter vessel engaged in fishing for halibut unless the Commission has issued a license in respect of that vessel.

(7) A license issued in respect of a vessel referred to in subsection (6) must be carried on that charter vessel at all times and the holder of it shall permit its inspection by customs and fishery officers of the Contracting Parties.

(8) A license shall be issued without fee by the Commission from its office in Seattle, Washington, upon receipt of a completed "Application for Vessel License for the Halibut Fishery" form.

(9) Licenses issued under this section shall be valid only during the year in which they are issued.

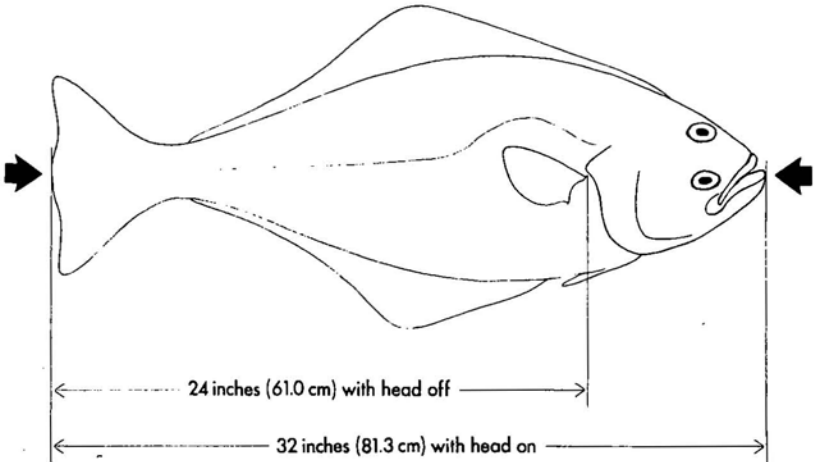
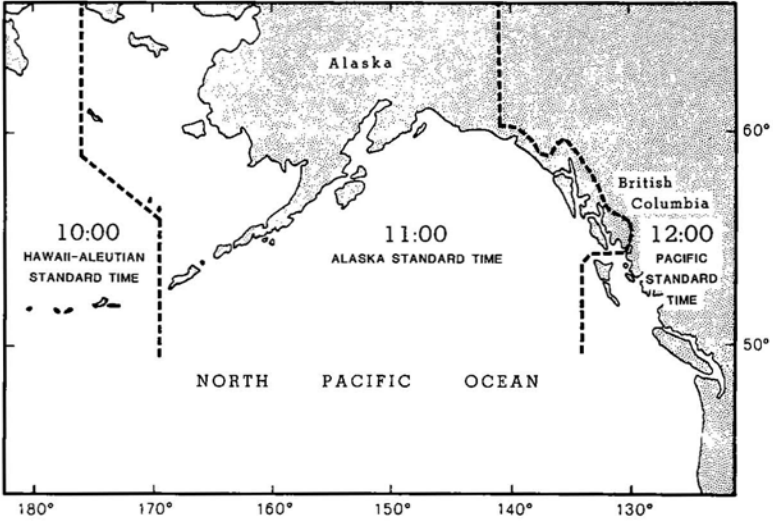
Previous Regulations Superseded

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

ROBERT W. McVEY, Chairman
ROBERT MORLEY, Vice Chairman
SIGURD BRYNJOLFSON
RICHARD ELIASON
DONALD McLEOD
GEORGE WADE

Legal Opening and Closing Hours for Halibut Fishing for Standard Time (ST) and Daylight Savings Time (DT) in Different Time Zones of the Northeastern Pacific Ocean.

Time Zone	Pacific		Alaska		Aleutian	
	PST	PDT	AkST	AkDT	AIST	AIDT
Hours	1200	1300	1100	1200	1000	1100



Minimum commercial size.