

INTERNATIONAL PACIFIC HALIBUT COMMISSION

**Pacific
Halibut Fishery
Regulations
1992**

INTERNATIONAL PACIFIC HALIBUT COMMISSION

P.O. BOX 95009

SEATTLE, WASHINGTON 98145-2009

TELEPHONE

(206) 634-1838

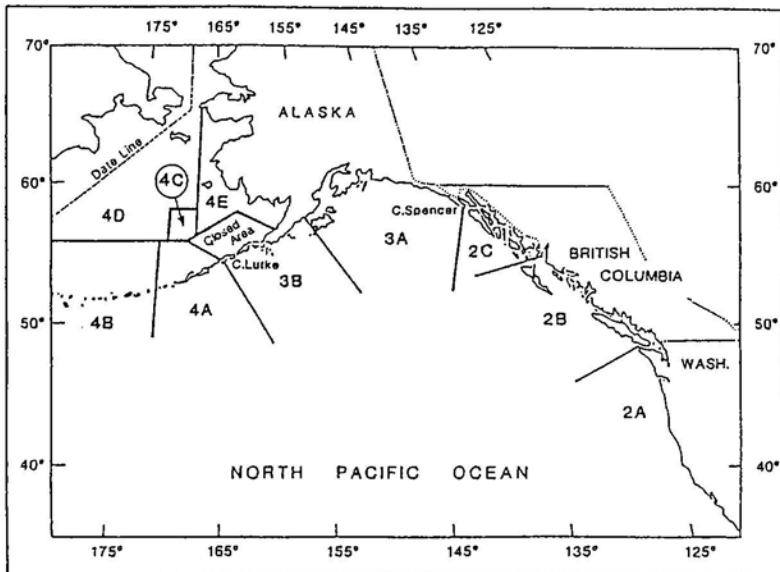
FAX — (206) 632-2983

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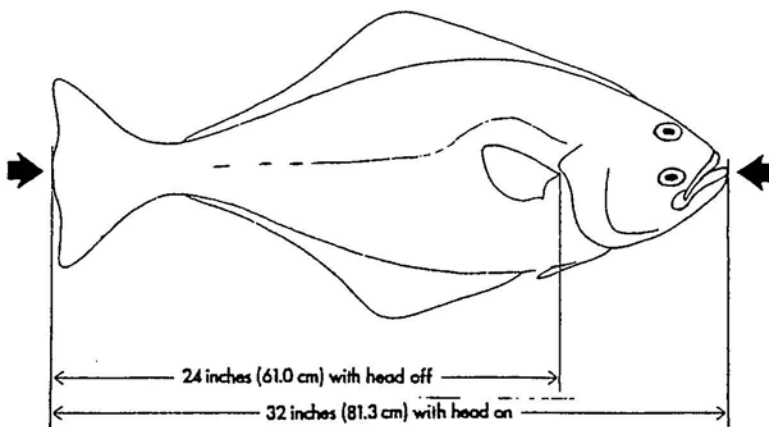
Official regulations of the respective countries can be found in:

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

For Canada: The Canada Gazette



Regulatory areas for the Pacific halibut fishery.



Minimum commercial size.

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- (p) "setline gear" means one or more stationary, buoyed, and anchored lines with hooks attached;
 - (q) "sport fishing" means all fishing other than commercial fishing and treaty Indian ceremonial and subsistence fishing;
 - (r) "tender" means any vessel that buys or obtains fish directly from a catching vessel and transports it to a port of landing or fish processor.
- (2) In these Regulations, all bearings are true and all positions are determined by the most recent charts issued by the National Ocean Service or the Canadian Hydrographic Service.
 - (3) In these Regulations, all weights shall be computed on the basis that the heads of the fish are off and their entrails removed.

3. Licensing Vessels

- (1) No person shall operate or fish for halibut from a United States vessel, nor possess halibut on board a United States vessel, used either for commercial fishing or as a charter vessel, unless the Commission has issued a license in respect of that vessel.
- (2) No person shall operate or fish for halibut from a Canadian vessel, nor possess halibut on board a Canadian vessel, used as a charter 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 paragraphs (1) and (2) must be carried on board that vessel at all times and the vessel operator shall permit its inspection by fishery officers of the Contracting Parties.
- (4) The Commission shall issue a license in respect of a vessel, without fee from its office in Seattle, Washington, upon receipt of a completed, written, and signed "Application for Vessel License for the Halibut Fishery" form.
- (5) Application forms may be obtained from fishery officers of either Contracting Party, or from the Commission.
- (6) Information on an "Application for Vessel License for the Halibut Fishery" form must be accurate.
- (7) The "Application for Vessel License for the Halibut Fishery" form shall be completed and signed by the vessel owner.
- (8) Licenses issued under this section shall be valid only during the year in which they are issued.
- (9) A new license is required for a vessel that is sold, transferred, renamed, or redocumented.
- (10) 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.
- (11) The United States may suspend, revoke, or modify any license issued under this section under policies and procedures in 15 CFR Part 904.

4. In-Season Actions

- (1) The Commission is authorized to establish or modify regulations during the seasons after determining that such action
 - (a) will not result in exceeding the catch limit established preseason for each regulatory area;
 - (b) is consistent with the Convention between the United States of America and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, and applicable domestic law of either Canada or the United States; and

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- (c) is consistent, to the maximum extent practicable, with any domestic catch sharing plans developed by the United States or Canadian governments.
- (2) In-season actions may include, but are not limited to, establishment or modification of the following:
 - (a) closed areas;
 - (b) fishing period;
 - (c) fishing period limits;
 - (d) gear restrictions;
 - (e) recreational bag limits;
 - (f) size limits; or
 - (g) vessel clearances.
- (3) In-season changes will be effective at the time and date specified by the Commission.
- (4) The Commission will announce in-season actions under this section by providing notice to major halibut processors; Federal, State, United States treaty Indian, and Provincial fishery officials; and the media.

5. Application

- (1) These Regulations apply to persons and vessels fishing for halibut in, or possessing halibut taken from, 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 6 to 18 apply to commercial fishing for halibut.
- (3) Section 19 applies to fishing for halibut by United States treaty Indian tribes in the State of Washington.
- (4) Section 20 applies to sport fishing for halibut.
- (5) These Regulations do not apply to fishing operations authorized or conducted by the Commission for research purposes.

6. Regulatory Areas

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

- (1) Area 2A includes all waters off the states of California, Oregon, and Washington;
- (2) Area 2B includes all waters off British Columbia;
- (3) Area 2C includes all waters off Alaska that are east of a line running 340° true from Cape Spencer Light (latitude 58°11'57" N., longitude 136°38'18" W.) and south and east of a line running 205° true 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 140° true;
- (5) Area 3B includes all waters between Area 3A and a line extending 150° true from Cape Lutke (latitude 54°29'00" N., longitude 164°20'00" W.) and south of latitude 54°49'00" N. in Isanotski Strait;

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- (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 9 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 9 which are east of longitude 171°00'00" W., south of latitude 58°00'00" N., and west of longitude 168°00'00" W.;
- (9) Area 4D includes all waters in the Bering Sea north of Areas 4A and 4B, north and west of Area 4C, and west of longitude 168°00'00" W.;
- (10) Area 4E includes all waters in the Bering Sea north and east of the closed area defined in section 9, east of longitude 168°00'00" W., and south of latitude 65°34'00" N.

7. Fishing Periods

- (1) The fishing periods for each regulatory area are set out in the following table and apply where the catch limits specified in section 10 have not been taken.

2A	4B		4C			4E	
7/29	6/08-6/09	7/12	6/06-6/07	7/26-7/27	9/14-9/15	5/31-6/02	7/30-8/01
8/12	6/10	7/14	6/08-6/09	7/28-7/29	9/16-9/17	6/03-6/05	8/02-8/04
8/26	6/12	7/16	6/10-6/11	7/30-7/31	9/18-9/19	6/06-6/08	8/05-8/07
9/09.*	6/14	7/18	6/12-6/13	8/01-8/02	9/20-9/21	6/09-6/11	8/08-8/10
	6/16	7/20	6/14-6/15	8/03-8/04	9/22-9/23	6/12-6/14	8/11-8/13
	6/18	7/22	6/16-6/17	8/05-8/06	9/24-9/25	6/15-6/17	8/14-8/16
2B	6/20	7/24	6/18-6/19	8/07-8/08	9/26-9/27	6/18-6/20	8/17-8/19
	6/22	7/26	6/20-6/21	8/09-8/10	9/28-9/29	6/21-6/23	8/20-8/22
3/08 - 10/31	6/24	7/28	6/22-6/23	8/11-8/12	9/30-10/01	6/24-6/26	8/23-8/25
	6/26	7/30	6/24-6/25	8/13-8/14	10/02-10/03	6/27-6/29	8/26-8/28
2C-3A-3B	6/28	8/01	6/26-6/27	8/15-8/16	10/04-10/05	6/30-7/02	8/29-8/31
	6/30	8/03	6/28-6/29	8/17-8/18	10/06-10/07	7/03-7/05	9/01-9/03
6/08-6/09	7/02		6/30-7/01	8/19-8/20	10/08-10/09	7/06-7/08	9/04-9/06
9/07-9/08	7/04	8/06.*	7/02-7/03	8/21-8/22	10/10-10/11	7/09-7/11	9/07-9/09
10/05.*	7/06		7/04-7/05	8/23-8/24	10/12-10/13	7/12-7/14	9/10-9/12
	7/08	9/22.*	7/06-7/07	8/25-8/26	10/14-10/15	7/15-7/17	9/13-9/15
4A	7/10		7/08-7/09	8/27-8/28	10/16-10/17	7/18-7/20	9/16-9/18
			7/10-7/11	8/29-8/30	10/18-10/19	7/21-7/23	
6/08-6/09			7/12-7/13	8/31-9/01	10/20-10/21	7/24-7/26	9/19-10/31
8/06.*			7/14-7/15	9/02-9/03	10/22-10/23	7/27-7/29	
9/22.*			7/16-7/17	9/04-9/05	10/24-10/25		
			7/18-7/19	9/06-9/07	10/26-10/27		
			7/20-7/21	9/08-9/09	10/28-10/29		
4D			7/22-7/23	9/10-9/11	10/30-10/31		
8/06.*			7/24-7/25	9/12-9/13			
9/22.*							

*Date to be announced by the Commission.

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- (2) Each fishing period in Area 2A shall begin at 0800 hours and terminate at 1800 hours Pacific Standard or Pacific Daylight Time, as applicable, on the date set out in the table to this section, unless the Commission specifies otherwise.
- (3) The fishing period in Area 2B shall begin and terminate at 1200 hours Pacific Standard Time, on the dates set out in the table to this section, unless the Commission specifies otherwise.
- (4) Except as provided in paragraph (5), each fishing period in Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E shall begin and terminate at 1200 hours Alaska Standard or Alaska Daylight Time, as applicable, on the date set out in the table to this section, unless the Commission specifies otherwise.
- (5) The 6/10 through 8/03 fishing periods inclusive in Area 4B shall begin at 0800 hours and terminate at 2000 hours Alaska Standard or Alaska Daylight Time, as applicable, unless the Commission specifies otherwise.
- (6) All commercial fishing for halibut in Areas 2A and 2B shall cease at 1200 hours Pacific Standard Time on October 31.
- (7) All commercial fishing for halibut in Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E shall cease at 1200 hours Alaska Standard Time on October 31.

8. Closed Periods

- (1) No person shall engage in fishing for halibut in any regulatory area other than during the fishing periods set out in section 7 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 paragraphs (7) and (8) of section 16, these Regulations do not prohibit fishing for any species of fish other than halibut during the closed periods.
- (4) Notwithstanding paragraph (3), no person shall have halibut in his possession while fishing for any other species of fish during the closed periods.
- (5) No vessel shall retrieve any halibut fishing gear during a closed period if the vessel has any halibut on board.
- (6) A vessel that has no halibut on board may retrieve any halibut fishing gear during the closed period after the operator notifies a fishery officer or representative of the Commission prior to that retrieval.
- (7) After retrieval of halibut gear in accordance with paragraph (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 paragraph (6).
- (9) No person shall possess halibut aboard a vessel in a regulatory area during a closed period unless that vessel is in continuous transit to or within a port in which that halibut may be lawfully sold.

9. Closed Areas

All waters in the Bering Sea north of latitude 54°49'00" N. in Isanotski Strait that are enclosed by 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.; thence to a point at latitude 58°21'25" N., longitude 163°00'00" W.; thence to Strogonof Point (latitude 56°53'18" N., longitude 158°50'37" W.); and then along the northern coasts of the Alaska Peninsula and Unimak Island to the point of origin at Cape Sarichef Light 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.

10. Catch Limits

- (1) The total allowable catch of halibut to be taken during the halibut fishing periods specified in section 7 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	243,750	111
2B	8,000,000	3,629
2C	10,000,000	4,536
3A	26,600,000	12,066
3B	8,800,000	3,991
4A	2,300,000	1,043
4B	2,300,000	1,043
4C	800,000	363
4D	800,000	363
4E	130,000	59

- (2) 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.
- (3) Notwithstanding paragraphs (1) and (2), Area 2B will only close when all Individual Vessel Quotas assigned by Canada's Department of Fisheries and Oceans are taken, or October 31, whichever is earlier.
- (4) If the Commission determines that the catch limit specified in any regulatory area in paragraph (1) would be exceeded in an unrestricted 24-hour, 10-hour, or 12-hour fishing period as specified in paragraphs (2), (3), (4), or (5) of section 7, the catch limit for that area shall be considered to have been taken unless fishing period limits are implemented.
- (5) Notwithstanding paragraph (1), Areas 3A and 3B shall both be closed if the catch limit of 35,400,000 pounds (16,057 metric tons) for the combined areas is taken.
- (6) Notwithstanding paragraph (1), Areas 4A and 4B shall both be closed if the catch limit of 4,600,000 pounds (2,086 metric tons) for the combined areas is taken.
- (7) When under paragraphs (2), (3), (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.

11. Fishing Period Limits

- (1) It shall be unlawful for any vessel to retain or land more halibut than authorized by that vessel's license in any fishing period for which the Commission has announced a fishing period limit.
- (2) When fishing period limits are in effect, a vessel's maximum allowable catch will be determined by the Commission based on
 - (a) the vessel's overall length in feet and associated length class;
 - (b) the average performance of all vessels within that class; and
 - (c) the remaining catch limit.
- (3) Length classes are shown in the following table:

<u>Overall Length</u>	<u>Vessel Class</u>
1-25	A
26-30	B
31-35	C
36-40	D
41-45	E
46-50	F
51-55	G
56+	H

- (4) Notwithstanding paragraph (2), all vessels fishing in Area 4C shall be limited to a maximum catch of 10,000 pounds (4.5 metric tons) of halibut per fishing period.
- (5) Notwithstanding paragraph (2), all vessels fishing in Area 4E shall be limited to a maximum catch of 6,000 pounds (2.7 metric tons) of halibut per fishing period.
- (6) Notwithstanding paragraph (5) a vessel will be permitted to make multiple fishing trips in Area 4E during the fishing period between September 19 and October 31, but each trip shall be limited to a maximum catch of 6,000 pounds (2.7 metric tons) of halibut and each trip shall be subject to the vessel clearance requirements in section 13.
- (7) A vessel that fishes during a fishing period when fishing period limits are in effect must offload its catch before fishing in any subsequent fishing period.
- (8) A vessel that fishes during a fishing period when fishing period limits are in effect will not be allowed to serve as a tender until its catch has been landed and sold.
- (9) No vessel which fishes for halibut in a regulatory area for which a fishing period limit is in effect shall fish in any other regulatory area during that fishing period.

12. Size Limits

- (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.

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- (2) No person shall fillet, mutilate, or otherwise disfigure a halibut in any manner that prevents the determination of the minimum size of the halibut for the purpose of paragraph (1).
- (3) No person on board a vessel fishing for, or tendering, halibut caught in Area 2A shall possess any halibut that has had its head removed.

13. Vessel Clearance in Area 4

- (1) The operator of any vessel that fishes for halibut in Areas 4A, 4B, 4C, 4D, or 4E must obtain a vessel clearance before such fishing in each such area and fishing period that applies, and before the unloading of any halibut caught in said areas and fishing periods, unless specifically exempted in paragraphs (8), (9), or (10).
- (2) The vessel clearances required under paragraph (1) for Areas 4A, 4C, 4D, or 4E may be obtained only at Dutch Harbor or Akutan, Alaska, from a fishery officer of the United States, a representative of the Commission, or a designated fish processor.
- (3) The vessel clearances required under paragraph (1) for Area 4B may only be obtained at Nazan Bay on Atka Island, Alaska, from a fishery officer of the United States, a representative of the Commission, or a designated fish processor.
- (4) The vessel operator shall specify the specific fishing period and regulatory area in which fishing will take place.
- (5) Vessel clearances required under paragraph (1) prior to fishing in Area 4 shall be obtained within the 120-hour period before each of the openings in that Area, between 0800 and 1800 hours, local time.
- (6) No halibut shall be on board at the time of the clearance required by paragraph (5).
- (7) Vessel clearances required under paragraph (1) after fishing in Area 4 shall be obtained within the 120-hour period after each of the closings in that Area, between 0800 and 1800 hours, local time.
- (8) Any person that fishes for halibut only in Area 4B and lands their total annual halibut catch at a port within Area 4B is exempt from the clearance requirements of paragraph (1).
- (9) Any person that fishes for halibut only in Area 4C and lands their total annual halibut catch at a port within Area 4C is exempt from the clearance requirements of paragraph (1).
- (10) Any person that fishes for halibut only in Area 4E and lands their total annual halibut catch at a port within Area 4E, or the closed area defined in Section 9 is exempt from the clearance requirements of paragraph (1).

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- (2) No person shall fillet, mutilate, or otherwise disfigure a halibut in any manner that prevents the determination of the minimum size of the halibut for the purpose of paragraph (1).
- (3) No person on board a vessel fishing for, or tendering, halibut caught in Area 2A shall possess any halibut that has had its head removed.

13. Vessel Clearance in Area 4

- (1) The operator of any vessel that fishes for halibut in Areas 4A, 4B, 4C, 4D, or 4E must obtain a vessel clearance before such fishing in each such area and fishing period that applies, and before the unloading of any halibut caught in said areas and fishing periods, unless specifically exempted in paragraphs (8), (9), or (10).
- (2) The vessel clearances required under paragraph (1) for Areas 4A, 4C, 4D, or 4E may be obtained only at Dutch Harbor or Akutan, Alaska, from a fishery officer of the United States, a representative of the Commission, or a designated fish processor.
- (3) The vessel clearances required under paragraph (1) for Area 4B may only be obtained at Nazan Bay on Atka Island, Alaska, from a fishery officer of the United States, a representative of the Commission, or a designated fish processor.
- (4) The vessel operator shall specify the specific fishing period and regulatory area in which fishing will take place.
- (5) Vessel clearances required under paragraph (1) prior to fishing in Area 4 shall be obtained within the 120-hour period before each of the openings in that Area, between 0800 and 1800 hours, local time.
- (6) No halibut shall be on board at the time of the clearance required by paragraph (5).
- (7) Vessel clearances required under paragraph (1) after fishing in Area 4 shall be obtained within the 120-hour period after each of the closings in that Area, between 0800 and 1800 hours, local time.
- (8) Any person that fishes for halibut only in Area 4B and lands their total annual halibut catch at a port within Area 4B is exempt from the clearance requirements of paragraph (1).
- (9) Any person that fishes for halibut only in Area 4C and lands their total annual halibut catch at a port within Area 4C is exempt from the clearance requirements of paragraph (1).
- (10) Any person that fishes for halibut only in Area 4E and lands their total annual halibut catch at a port within Area 4E, or the closed area defined in Section 9 is exempt from the clearance requirements of paragraph (1).

14. Logs

- (1) The operator of any vessel that is five (5) net tons or greater shall keep an accurate log of all halibut fishing operations including the date, locality, amount of gear used, and total weight of halibut taken daily in each locality.
- (2) The log referred to in paragraph (1) shall be
 - (a) separate from other records maintained on board the vessel;
 - (b) updated not later than 24 hours after midnight local time for each day fished and prior to the offloading or sale of halibut taken during that fishing period;
 - (c) retained for a period of two years by the owner or operator of the vessel;
 - (d) open to inspection by a fishery officer or any authorized representative of the Commission upon demand; and
 - (e) kept on board the vessel when engaged in halibut fishing, during transits to port of landing, and for five (5) days following off-loading halibut.
- (3) No person shall make a false entry in a log referred to in paragraph (1).

15. Receipt and Possession of Halibut

- (1) No person shall receive halibut from a United States vessel that does not have the license required by section 3 on board.
- (2) 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 record each such purchase or receipt on State fish tickets or Federal catch reports, showing the date, locality, name of vessel, Halibut Commission license number (United States), 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.
- (3) No person shall make a false entry on a State fish ticket or Federal catch report referred to in paragraph (2).
- (4) A copy of the fish tickets or catch reports referred to in paragraph (2) shall be
 - (a) retained by the person making them for a period of two years from the date the fish tickets or catch reports are made; and
 - (b) open to inspection by a fishery officer or any authorized representative of the Commission.
- (5) No person shall possess any halibut that he knows to have been taken in contravention of these Regulations.
- (6) When halibut are delivered to other than a commercial fish processor or primary fish buyer, the records required by paragraph (2) shall be maintained by the operator of the vessel from which that halibut was caught, in compliance with paragraph (4).
- (7) It shall be unlawful to enter a Halibut Commission license number on a State fish ticket for any vessel other than the vessel actually used in catching the halibut reported thereon.

16. Fishing Gear

- (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.
- (3) No person shall possess halibut while on board a vessel carrying any trawl nets or fishing pots capable of taking halibut.
- (4) All setline or state marker buoys carried on board or used by any United States vessel used for halibut fishing 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.
- (5) the markings specified in paragraph (4) 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.
- (6) All setline or state marker buoys carried on board or used by a Canadian vessel used for halibut fishing shall be
 - (a) floating and visible on the surface of the water, and
 - (b) legibly marked with the identification plate number of the vessel engaged in commercial fishing from which that setline is being operated.
- (7) No person on board a vessel from which setline gear was used to fish for any species of fish anywhere in waters described in section 5 (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.
- (8) No vessel from which setline gear was used to fish for any species of fish anywhere in waters described in section 5 (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 that halibut fishing period.
- (9) Notwithstanding paragraphs (7) and (8), the 72-hour fishing restriction preceding a halibut fishing period shall not apply to persons and vessels fishing for halibut during fishing periods in Areas 2B, 4B, 4C, and 4E as described in paragraphs (2), (7), (8), and (10) of section 6.
- (10) No person shall fish for halibut from a vessel that is equipped with, or that possesses on board, an automated hook stripper.
- (11) No person shall possess halibut on a vessel that is equipped with, or that possesses on board, an automated hook stripper.

17. Retention of Tagged Halibut

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 a fishery officer.

18. Supervision of Unloading and Weighing

The unloading and weighing of halibut may be subject to the supervision of fishery officers to assure the fulfillment of the provisions of these Regulations.

19. Fishing by United States Treaty Indian Tribes

- (1) Except as provided in this section, all regulations of the Commission apply to halibut fishing in subarea 2A-1 by members of United States treaty Indian tribes located in the State of Washington.
- (2) For the purposes of this section, United States treaty Indian tribes means the Hoh, Jamestown Klallam, Lower Elwha Klallam, Lummi, Makah, Port Gamble Klallam, Quileute, Quinault, Skokomish, Suquamish, Swinomish, and Tulalip tribes.
- (3) Subarea 2A-1 includes all waters off the coast of Washington that are north of latitude 46°53'18" N. and east of longitude 125°44'00" W., and all inland marine waters of Washington.
- (4) Commercial fishing for halibut in subarea 2A-1 is permitted with hook and line gear from March 1 through October 31, or until 152,500 pounds (69.2 metric tons) is taken, whichever occurs first.
- (5) Ceremonial and subsistence fishing for halibut in subarea 2A-1 is permitted with hook and line gear from January 1 through December 31, and is estimated to take 10,000 pounds (4.5 metric tons).
- (6) No size or bag limits shall apply to the ceremonial and subsistence fishery except that when commercial halibut fishing is prohibited pursuant to paragraph (4), treaty Indians may take and retain not more than two halibut per day per person.
- (7) Halibut taken for ceremonial and subsistence purposes shall not be offered for sale or sold.
- (8) All halibut sold by treaty Indians during the commercial fishing season specified in paragraph (4) shall comply with the provisions of section 12, Size Limits.
- (9) Any member of a United States treaty Indian tribe as defined in paragraph (2), who is engaged in commercial, or ceremonial and subsistence fishing under this section must have on his or her person a valid treaty Indian identification card issued pursuant to 25 CFR Part 249, Subpart A and must comply with the treaty Indian vessel and gear identification requirements of Final Decision No. 1 and subsequent orders in *United States v. Washington*, 384 F. Supp. 312 (W.D. Wash. 1974).

20. Sport Fishing for Halibut

- (1) No person shall engage in sport fishing for halibut using gear other than a single line with no more than two hooks attached; or a spear.
- (2) In all waters off Alaska
 - (a) the sport fishing season is from February 1 to December 31;
 - (b) the daily bag limit is two halibut of any size per day per person.
- (3) In all waters off British Columbia
 - (a) the sport fishing season is from February 1 to December 31;
 - (b) the daily bag limit is two halibut with a minimum overall size limit of 32 inches (81.3 centimeters).

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- (4) In Puget Sound and United States waters in the Strait of Juan de Fuca, east of a line from Bonilla Point (latitude 48°35'44" N., longitude 124°43'00" W.) to Tatoosh Island (latitude 48°23'30" N., longitude 124°44'00" W.) to Cape Flattery (latitude 48°22'55" N., longitude 124°43'42" W.)
- (a) the sport fishing season is May 9 through July 15, seven days a week;
 - (b) the daily bag limit is two halibut of any size per day per person.
- (5) Off the North Washington Coast, west of the line described in paragraph (4) and north of the Queets River (latitude 47°31'42" N.)
- (a) the sport fishing seasons are
 - (i) May 1 through June 30, seven days a week, or until 78,764 pounds (35.7 metric tons) are estimated to have been taken and a closing date has been announced by the Commission;
 - (ii) July 3 through July 31, two days a week (Friday and Saturday) and commencing August 1, seven days a week until a closing date has been announced by the Commission, or until September 30, whichever is earlier;
 - (b) the daily bag limit is two halibut per day per person, one with no minimum size limit, and the second with a minimum overall size limit of 40 inches (101.6 centimeters);
 - (c) the total catch for the two fishing periods specified in paragraph (5)(a) shall be limited to 92,664 pounds (42.0 metric tons).
- (6) Off the Washington and Oregon Coast, between the Queets River and Cape Falcon (latitude 45°46'00" N.)
- (a) the sportfishing season is from May 1 through September 30, seven days a week;
 - (b) the daily bag limit is one halibut of any size per day per person.
- (7) Off the Oregon Coast, between Cape Falcon and the California border (latitude 42°00'00" N.)
- (a) the sport fishing seasons are
 - (i) May 1 through July 10, seven days a week, between Cape Falcon and Nestucca Bay (latitude 45°09'45" N.), or until 2,911 pounds (1.3 metric tons) are estimated to have been taken and a closing date has been announced by the Commission;
 - (ii) May 1 through July 10, four days a week (Wednesday through Saturday) between Nestucca Bay and the California border, or until 60,131 pounds (27.3 metric tons) are estimated to have been taken, and a closing date has been announced by the Commission;
 - (iii) July 11 through August 4, seven days a week in the area inside the 30-fathom curve nearest to the coastline as plotted on National Ocean Service charts numbered 18520, 18580, and 18600, or until 8,333 pounds (3.8 metric tons) are estimated to have been taken, and a closing date has been announced by the Commission;
 - (iv) August 5, five days a week (Wednesday through Sunday) until a closing date has been announced by the Commission, or until September 30, whichever is earlier;

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- (b) the daily bag limit is two halibut, one with a minimum overall size limit of 32 inches (81.3 centimeters) and the second with a minimum overall size limit of 50 inches (127.0 centimeters);
 - (c) the total catch for the four fishing periods specified in paragraph (7)(a) shall be limited to 92,590 pounds (42.0 metric tons).
- (8) Off the California Coast
 - (a) the sport fishing season is from May 1 through September 30, seven days a week;
 - (b) the daily bag limit is one halibut with a minimum overall size limit of 32 inches (81.3 centimeters).
 - (9) Notwithstanding paragraphs (4), (5), and (6) the total allowable catch of halibut shall be limited to 148,687 pounds (67.4 metric tons).
 - (10) Notwithstanding paragraphs (7) and (8) the total allowable catch of halibut shall be limited to 95,063 pounds (43.1 metric tons).
 - (11) The minimum overall size limit specified in paragraphs (3)(b), (5)(b), (7)(b), and (8)(b) is 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.
 - (12) No person shall fillet, mutilate, or otherwise disfigure a halibut in any manner that prevents the determination of minimum size or the number of fish caught, possessed, or landed.
 - (13) The possession limit for halibut in the waters off the coast of Alaska is two daily bag limits.
 - (14) The possession limit for halibut in the waters off the coast of British Columbia is one and one-half times the daily bag limit (3 halibut).
 - (15) The possession limit for halibut in the waters off Washington, Oregon, and California is the same as the daily bag limit.
 - (16) Any halibut brought aboard a vessel and not immediately returned to the sea with a minimum of injury will be included in the daily bag limit of the person catching the halibut.
 - (17) No person shall be in possession of halibut on a vessel while fishing in a closed area.
 - (18) No halibut caught by sport fishing shall be offered for sale, sold, traded, or bartered.
 - (19) No halibut caught in sport fishing shall be possessed on board a vessel when other fish or shellfish aboard the said vessel are destined for commercial use, sale, trade, or barter.
 - (20) The operator of a charter vessel shall be liable for any violations of these regulations committed by a passenger aboard said vessel.

21. Previous Regulations Superseded

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

RICHARD J. BEAMISH, Chairman
STEVEN PENNOYER, Vice Chairman
LINDA J. ALEXANDER
RICHARD ELIASON
ALLAN T. SHEPPARD
GEORGE A. WADE

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