

**INTERNATIONAL PACIFIC HALIBUT COMMISSION**

**Pacific  
Halibut Fishery  
Regulations  
1994**

**INTERNATIONAL PACIFIC HALIBUT COMMISSION  
P.O. BOX 95009  
SEATTLE, WASHINGTON 98145-2009  
TELEPHONE  
(206) 634-1838  
FAX — (206) 632-2983**

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: The Canada Gazette

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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

**1. Short Title**

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

**2. Interpretation**

(1) In these Regulations,

- (a) "automated hook stripper" (commonly known as a crucifier) means a device through which the groundline can be passed during gear retrieval which allows the groundline and hooks to pass freely, but does not allow fish to pass, thereby removing fish from the hooks;
- (b) "charter vessel" means a vessel used for hire in sport fishing for halibut, but not including a vessel without a hired operator;
- (c) "commercial fishing" means fishing the resulting catch of which either is or is intended to be sold or bartered;
- (d) "Commission" means the International Pacific Halibut Commission;
- (e) "daily bag limit" means the maximum number of halibut a person may take in any calendar day from Convention waters;
- (f) "fishery officer" means any State, Federal, or Provincial officer authorized to enforce these regulations including, but not limited to, the National Marine Fisheries Service (NMFS), Canada's Department of Fisheries and Oceans (DFO), Alaska Department of Fish and Wildlife Protection (ADFWP), and the United States Coast Guard (USCG);
- (g) "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;
- (h) "fishing period limit" means the maximum amount of halibut that may be retained and landed by a vessel during one fishing period;
- (i) "land", with respect to halibut, means to bring to shore and to offload;
- (j) "license" means a halibut fishing license issued by the Commission pursuant to section 3;
- (k) "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;
- (l) "operator", with respect to any vessel, means the owner and/or the master or other individual on board and in charge of that vessel;
- (m) "overall length" of a vessel means the horizontal distance, rounded to the nearest foot, between the foremost part of the stem and the aftermost part of the stern (excluding bowsprits, rudders, outboard motor brackets, and similar fittings or attachments);
- (n) "person" includes an individual, corporation, firm, or association;
- (o) "regulatory area" means an area referred to in section 6;

- (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 used as a charter vessel, nor possess halibut on board such 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 "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 season 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
  - (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 periods;
  - (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 19 apply to commercial fishing for halibut.
- (3) Section 20 applies to fishing for halibut by United States treaty Indian tribes in the State of Washington.
- (4) Section 21 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;

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- (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;
- (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) Subarea 4D-N includes that portion of Area 4D that is north of latitude 62°30'00"N.;
- (11) 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			4D-N	4E	
7/06	6/06-6/07	6/03-6/04	7/23-7/24	9/11-9/12	7/01-7/02	5/02-5/04	7/16-7/18
7/19	6/15	6/05-6/06	7/25-7/26	9/13-9/14	7/03-7/04	5/05-5/07	7/19-7/21
8/03	6/17	6/07-6/08	7/27-7/28	9/15-9/16	7/05-7/06	5/08-5/10	7/22-7/24
8/16	6/19	6/09-6/10	7/29-7/30	9/17-9/18	7/07-7/08	5/11-5/13	7/25-7/27
2B	6/21	6/11-6/12	7/31-8/01	9/19-9/20	7/09-7/10	5/14-5/16	7/28-7/30
	6/23	6/13-6/14	8/02-8/03	9/21-9/22	7/11-7/12	5/17-5/19	7/31-8/02
3/01-11/15	6/25	6/15-6/16	8/04-8/05	9/23-9/24	7/13-7/14	5/20-5/22	8/03-8/05
	6/27	6/17-6/18	8/06-8/07	9/25-9/26	7/15-7/16	5/23-5/25	8/06-8/08
2C	6/29	6/19-6/20	8/08-8/09	9/27-9/28	7/17-7/18	5/26-5/28	8/09-8/11
	7/01	6/21-6/22	8/10-8/11	9/29-9/30	7/19-7/20	5/29-5/31	8/12-8/14
6/06/-6/07	7/03	6/23-6/24	8/12-8/13	10/01-10/02	7/21-7/22	6/01-6/03	8/15-8/17
	7/05	6/25-6/26	8/14-8/15	10/03-10/04	7/23-7/24	6/04-6/06	8/18-8/20
9/12-*	7/07	6/27-6/28	8/16-8/17	10/05-10/06	7/25-7/26	6/07-6/09	8/21-8/23
10/10-*	7/09	6/29-6/30	8/18-8/19	10/07-10/08	7/27-7/28	6/10-6/12	8/24-8/26
3A-3B	7/11	7/01-7/02	8/20-8/21	10/09-10/10	7/29-7/30	6/13-6/15	8/27-8/29
	7/13	7/03-7/04	8/22-8/23	10/11-10/12	7/31-8/01	6/16-6/18	8/30-9/01
6/06-6/07	7/15	7/05-7/06	8/24-8/25	10/13-10/14	8/02-8/03	6/19-6/21	9/02-9/04
	7/17	7/07-7/08	8/26-8/27	10/15-10/16	8/04-8/05	6/22-6/24	9/05-9/07
9/12-9/13	7/19	7/09-7/10	8/28-8/29	10/17-10/18	8/06-8/07	6/25-6/27	9/08-9/10
10/10-*	7/21	7/11-7/12	8/30-8/31	10/19-10/20	8/08-8/09	6/28-6/30	9/11-9/13
4A	7/23	7/13-7/14	9/01-9/02	10/21-10/22	8/10-8/11	7/01-7/03	9/14-9/16
	7/25	7/15-7/16	9/03-9/04	10/23-10/24	8/12-8/13	7/04-7/06	9/17-9/19
6/06-6/07	7/27	7/17-7/18	9/05-9/06	10/25-10/26		7/07-7/09	9/20-9/22
	7/29	7/19-7/20	9/07-9/08	10/27-10/28		7/10-7/12	9/23-9/25
8/15	7/31	7/21-7/22	9/09-9/10	10/29-10/30		7/13-7/15	9/26-9/28
8/30-*	8/02						
9/12-9/13	8/04						
10/10-*	8/06						
4D	8/08						
	8/10						
	8/12						
8/15-*	8/14						
8/30-*	8/15-*						
	8/30-*						

\* Date to be announced by the Commission.

- (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, 4E, and subarea 4D-N 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 8/15 fishing period in Area 4A and the 6/15 through 8/14 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) Notwithstanding paragraph 1, Area 4B will be closed to halibut fishing when 315,000 pounds (143 metric tons) of the catch limit specified in Section 10(1) has been taken, and will reopen as scheduled on August 15 for the remaining catch limit.
- (7) All commercial fishing for halibut in Area 2A shall cease at 1200 hours Pacific Standard Time on October 31.
- (8) All commercial fishing for halibut in Area 2B shall cease at 1200 hours Pacific Standard Time on November 15.
- (9) 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 17, 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 Area**

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	178,750	81
2B	10,000,000	4,536
2C	11,000,000	4,990
3A	26,000,000	11,794
3B	4,000,000	1,814
4A	1,800,000	816
4B	2,100,000	953
4C	700,000	318
4D	665,000	302
4D-N	35,000	16
4E	100,000	45

- (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 November 15, 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), or (4) 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 30,000,000 pounds (13,608 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 3,900,000 pounds (1,769 metric tons) for the combined areas is taken.
- (7) Notwithstanding paragraph (1), any catch limit remaining in subarea 4D-N at the close of the August 12-13 fishing period, specified in section 7, will be added to the Area 4D catch limit.
- (8) 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 more halibut than authorized by that vessel's license in any fishing period for which the Commission has announced a fishing period limit.
- (2) The operator of any vessel that fishes for halibut during a fishing period when fishing period limits are in effect must, upon commencing an offload of halibut to a commercial fish processor, completely offload all halibut on board said vessel to that processor and ensure that all halibut is weighed and reported on State fish tickets or Federal catch reports.
- (3) The operator of any vessel that fishes for halibut during a fishing period when fishing period limits are in effect must, upon commencing an offload of halibut other than to a commercial fish processor, completely offload all halibut on board said vessel and ensure that all halibut on board are weighed and reported on State fish tickets or Federal catch reports.
- (4) The provisions of paragraph (3) are not intended to prevent retail over-the-side sales to individual purchasers so long as all the halibut on board is ultimately offloaded and reported.
- (5) When fishing period limits are in effect, a vessel's maximum retainable 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.
- (6) 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

- (7) Notwithstanding paragraph (5), all vessels fishing in Area 4B shall be limited to a maximum catch of 10,000 pounds (4.5 metric tons) of halibut per fishing period from June 6 through August 14 inclusive.
- (8) Notwithstanding paragraph (5), 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.
- (9) Notwithstanding paragraph (5), all vessels fishing in subarea 4D-N shall be limited to a maximum catch of 1,000 pounds (.45 metric tons) of halibut per fishing period.
- (10) Notwithstanding paragraph (5), 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.
- (11) 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.
- (12) 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.
- (13) 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.
- (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. Careful Release of Halibut**

All halibut in excess of a vessel's fishing period limit, when fishing period limits as determined or specified in section 11 are in effect, or halibut below the minimum size limit specified in section 12, shall be immediately released and returned to the sea with a minimum of injury by

- (a) hook straightening outboard of the roller;
- (b) cutting the gangion near the hook; or
- (c) carefully removing the hook by twisting it from the halibut with a gaff.

### **14. Vessel Clearance in Area 4**

- (1) The operator of any vessel that fishes for halibut in Areas 4A, 4B, 4C, 4D, 4E, or subarea 4D-N 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), (10), or (11).
- (2) The vessel clearances required under paragraph (1) for Areas 4A, 4C, 4D, 4E, or subarea 4D-N 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 vessel that is used to fish for halibut only in Area 4B and lands its total annual halibut catch at a port within Area 4B is exempt from the clearance requirements of paragraph (1).
- (9) Any vessel that is used to fish for halibut only in Area 4C and lands its total annual halibut catch at a port within Area 4C is exempt from the clearance requirements of paragraph (1).

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- (10) Any vessel that is used to fish for halibut only in Area 4E and lands its 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).
- (11) Any vessel that is used to fish for halibut only in subarea 4D-N and lands its total annual halibut catch at a port within subarea 4D-N is exempt from the clearance requirements of paragraph (1).

### 15. 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) The poundage of any halibut that is not sold, but is utilized by the vessel operator, his crew members, or any other person for personal use, shall be recorded in the vessel's log within 24-hours of offloading.
- (4) No person shall make a false entry in a log referred to in this section.

### 16. 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) A commercial fish processor who purchases halibut directly from the owner or operator of a vessel that was engaged in fishing for halibut during a fishing period when fishing period limits were in effect must accept and weigh all halibut on board said vessel at the time offloading commences, report on State fish tickets or Federal catch reports the weight of halibut offloaded, and prior to purchasing that halibut, report to the National Marine Fisheries Service poundage in excess of a fishing period limit.
- (4) No person shall make a false entry on a State fish ticket or Federal catch report referred to in paragraphs (2) and (3).
- (5) A copy of the fish tickets or catch reports referred to in paragraphs (2) and (3) 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.

- (6) No person shall possess any halibut that he knows to have been taken in contravention of these Regulations.
- (7) When halibut are delivered to other than a commercial fish processor or primary fish buyer, the records required by paragraphs (2) and (3) shall be maintained by the operator of the vessel from which that halibut was caught, in compliance with paragraph (5).
- (8) 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.

#### 17. 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 catching halibut.
- (4) All setline or skate 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 skate 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 in Areas 4B, 4C, 4E, and subarea 4D-N as described in paragraphs (7), (8), (10), and (11) of section 6 when the closed period prior to the scheduled fishing period is less than 72-hours in duration.
- (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.

### **18. Retention of Tagged Halibut**

- (1) 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.
- (2) After examination and removal of the tag by a representative of the Commission or a fishery officer, the halibut
  - (a) may be retained for personal use; or
  - (b) may be sold if it complies with the provisions of section 12, Size Limits.

### **19. 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.

### **20. 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 176,500 pounds (80.1 metric tons) is taken, whichever occurs first.
- (5) Fishing periods established under this section shall begin and terminate at such times as may be set by treaty Indian tribal regulations.
- (6) 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 16,000 pounds (7.3 metric tons).
- (7) The 72-hour fishing restriction preceding the opening of a halibut fishing period specified in section 17(8) and (9) shall not apply to United States treaty Indian tribes specified in this section while fishing in subarea 2A-1.
- (8) 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.
- (9) Halibut taken for ceremonial and subsistence purposes shall not be offered for sale or sold.
- (10) 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.
- (11) 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).

### 21. 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 of any size per day per person.
- (4) In all waters off California, Oregon, and Washington
  - (a) the total allowable catch of halibut shall be limited to
    - (i) 109,037 pounds (49.5 metric tons) north of Cape Falcon (latitude 45°46'00"N.), and
    - (ii) 69,713 pounds (31.6 metric tons) south of Cape Falcon;
  - (b) specific regulations describing fishing areas, area catch limits, fishing dates, and daily bag limits will be promulgated by the National Marine Fisheries Service (NMFS) and published in the Federal Register (see Appendix for summary);
  - (c) the Commission shall determine and announce closing dates to the public for any area in which catch limits promulgated by the NMFS are estimated to have been taken.
- (5) Any minimum overall size limit promulgated under IPHC or NMFS regulations shall be 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.
- (6) 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.
- (7) The possession limit for halibut in the waters off the coast of Alaska is two daily bag limits.
- (8) The possession limit for halibut in the waters off British Columbia, Washington, Oregon, and California is the same as the daily bag limit.
- (9) 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.
- (10) No person shall be in possession of halibut on a vessel while fishing in a closed area.
- (11) No halibut caught by sport fishing shall be offered for sale, sold, traded, or bartered.
- (12) 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.
- (13) The operator of a charter vessel shall be liable for any violations of these regulations committed by a passenger aboard said vessel.

### 22. 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  
RICHARD ELIASON  
RALPH HOARD  
ALLAN T. SHEPPARD  
BRIAN VAN DORP

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## APPENDIX

### SYNOPSIS OF U.S. SPORT REGULATIONS FOR CALIFORNIA, OREGON AND WASHINGTON

- (1) In Puget Sound and the U.S. 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 the buoy adjacent to Duntz Rock (latitude 48°24'55"N., longitude 124°44'50"W.) to Tatoosh Island lighthouse (latitude 48°23'30"N., longitude 124°44'00"W.) to Cape Flattery (latitude 48°22'55"N., longitude 124°43'42"W.), the daily bag limit is one halibut of any size per person. The fishing season is May 2 through July 5, 6 days a week (closed Wednesdays) and is estimated to take 35,328 pounds (16.0 mt).
- (2) In the area off the north Washington coast, west of the line described in paragraph (1), north of the Queets River (latitude 47°31'42"N.), and exclusive of an area closed to sport fishing within a rectangle whose corners are latitude 48°17'00"N., longitude 125°10'00"W.; latitude 48°17'00"N., longitude 125°00'00"W.; and latitude 48°05'00"N., longitude 125°10'00"W., and latitude 48°05'00"N., longitude 125°00'00"W., the catch limit is 68,039 pounds (30.9 mt). The daily bag limit is one halibut of any size per person. The sport fishing season is May 3 through September 30, 5 days a week (Tuesday through Saturday), or until the area catch limit of 68,039 pounds (30.9 mt) is estimated to have been taken and the season is closed by the Commission, whichever occurs first.
- (3) In the area between the Queets River, Washington, and Cape Falcon, Oregon (latitude 45°46'00"N.) the daily bag limit is one halibut of any size per person. The fishing season is one day per week (Thursday only) on June 2 and June 9 and is estimated to take 5,670 pounds (2.6 mt.).
- (4) In the area off Oregon between Cape Falcon and the California border (latitude 42°00'00"N.), the catch limit is 67,900 pounds (30.8 mt). The daily bag limit is two halibut per person, one with a minimum overall size limit of 32 inches (81.3 cm) and the second with a minimum overall size limit of 50 inches (127.0 cm). The fishing seasons are:
  - (A) May 4, 5 days a week (Wednesday through Sunday) until 53,641 pounds (24.3 mt) are estimated to have been taken and the season is closed by the Commission:
  - (B) Reopen the day following the closure of the season specified in paragraph 4(A) through August 5, 7 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 from Cape Falcon to the California border, or until 2,716 pounds (1.2 mt) are estimated to have been taken (except that any poundage remaining unharvested after the season specified in paragraph (A) will be added to this season) and the season is closed by the Commission, whichever occurs first; and
  - (C) August 6 through September 30, 5 days a week (Wednesday through Sunday) until the area catch limit of 67,900 pounds (30.8 mt) is estimated to have been taken and the season is closed by the Commission, whichever occurs first.
- (5) In the area off the California coast, the daily bag limit is one halibut per person with a minimum overall size limit of 32 inches (81.3 cm). The fishing season in this area is May 1 through September 30, 7 days a week and is estimated to take 1,813 pounds (0.8 mt).
- (6) The Regional Director of NMFS, after consultation with the Chairman of the Pacific Fishery Management Council, the Commission Executive Director, and the Fisheries Director(s) of the affected state(s) is authorized to modify regulations during the season after determining that such action is necessary to allow allocation objectives to be met, and will not result in exceeding the catch limit established preseason for each area.
- (7) Actions taken under paragraph (6) will be published in the Federal Register and actual notice of inseason management actions will be provided by a telephone hotline administered by the Northwest Region, NMFS, at 800-662-9825 (May through September) and by U.S. Coast Guard broadcasts announced on Channel 16 VHF-FM and 2182 KHz at frequent intervals.

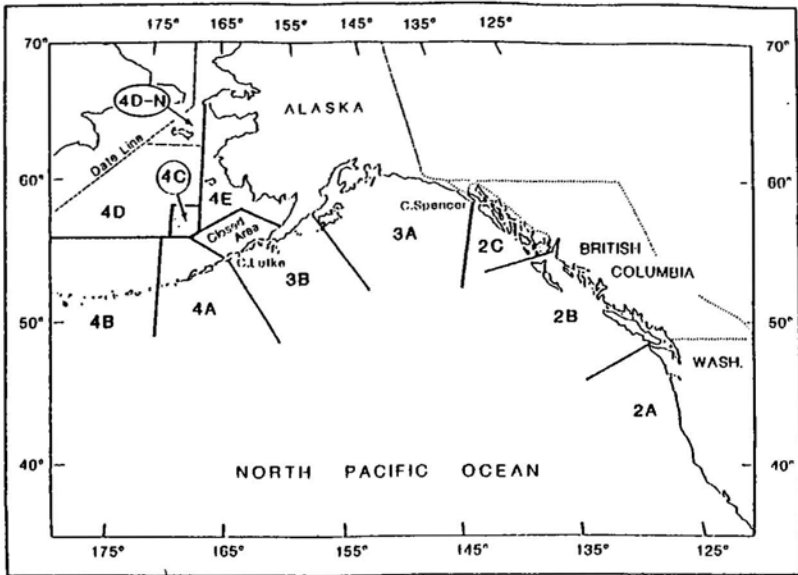


Figure 1; Regulatory areas for the Pacific halibut fishery.

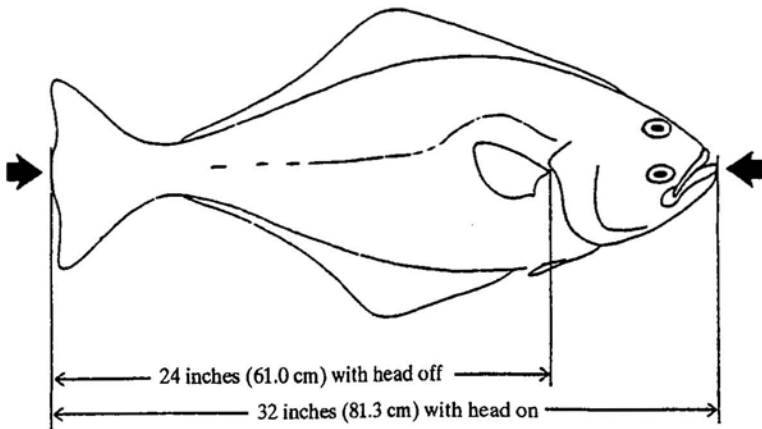


Figure 2; Minimum commercial size