

INTERNATIONAL PACIFIC HALIBUT COMMISSION

**Pacific
Halibut Fishery
Regulations
1998**

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For the U.S.: The Federal Register

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) “authorized 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 Division of Fish and Wildlife Protection (ADFWP), and the United States Coast Guard (USCG);
 - (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) “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;
 - (g) “fishing period limit” means the maximum amount of halibut that may be retained and landed by a vessel during one fishing period;
 - (h) “land”, with respect to halibut, means the offloading of halibut from the catching vessel;
 - (i) “license” means a halibut fishing license issued by the Commission pursuant to section 3;
 - (j) “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;
 - (k) “operator”, with respect to any vessel, means the owner and/or the master or other individual on board and in charge of that vessel;
 - (l) “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);

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- (m) “person” includes an individual, corporation, firm, or association;
 - (n) “regulatory area” means an area referred to in section 6;
 - (o) “setline gear” means one or more stationary, buoyed, and anchored lines with hooks attached;
 - (p) “sport fishing” means all fishing other than commercial fishing and treaty Indian ceremonial and subsistence fishing;
 - (q) “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 fish for halibut from a vessel, nor possess halibut on board a vessel, used either for commercial fishing or as a charter vessel in Area 2A unless the Commission has issued a license valid for fishing in Area 2A in respect of that vessel.
- (2) A license issued for a vessel operating in Area 2A shall be valid only for operating either as a charter vessel or a commercial vessel, but not both.
- (3) A license issued for a vessel operating in the commercial fishery in Area 2A shall be valid only for either the directed commercial fishery during the fishing periods specified in paragraph (2) of section 8 or the incidental catch fishery during the salmon troll fishery specified in paragraph (3) of section 8, but not both.
- (4) A license issued in respect of a vessel referred to in paragraph (1) must be carried on board that vessel at all times and the vessel operator shall permit its inspection by any authorized officer.
- (5) 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.
- (6) A vessel operating in the directed commercial fishery in Area 2A must have its “Application for Vessel License for the Halibut Fishery” form postmarked no later than 11:59 P.M. on April 30, or on the first weekday in May if April 30 is a Saturday or Sunday.
- (7) A vessel operating in the incidental commercial fishery during the salmon troll season in Area 2A must have its “Application for Vessel License for the Halibut Fishery” form postmarked no later than 11:59 P.M. on March 31, or the first weekday in April if March 31 is a Saturday or Sunday.
- (8) Application forms may be obtained from any authorized officer or from the Commission.
- (9) Information on “Application for Vessel License for the Halibut Fishery” form must be accurate.
- (10) The “Application for Vessel License for the Halibut Fishery” form shall be completed and signed by the vessel owner.
- (11) Licenses issued under this section shall be valid only during the year in which they are issued.
- (12) A new license is required for a vessel that is sold, transferred, renamed, or re-documented.
- (13) The license required under this section is in addition to any license, however designated, that

is required under the laws of the United States or any of its States.

- (14) The United States may suspend, revoke, or modify any license issued under this section under policies and procedures in Title 15, Code of Federal regulations, 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 21 apply to commercial fishing for halibut.
- (3) Section 7 applies to the Community Development Quota (CDQ) fishery in Area 4E.
- (4) Section 22 applies to the United States treaty Indian tribal fishery in Area 2A-1.
- (5) Section 23 applies to sport fishing for halibut.
- (6) 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 (58°11'57" N. latitude, 136°38'18" W. longitude) 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 (57°41'15" N. latitude, 155°35'00" W. longitude) to Cape Ikolik (57°17'17" N. latitude, 154°47'18" W. longitude), then along the Kodiak Island coastline to Cape Trinity (56°44'50" N. latitude, 154°08'44" W. longitude), then 140° true;
- (5) Area 3B includes all waters between Area 3A and a line extending 150° true from Cape Lutke (54°29'00" N. latitude, 164°20'00" W. longitude) and south of 54°49'00" N. latitude 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 10 that are east of 172°00'00" W. longitude and south of 56°20'00" N. latitude;
- (7) Area 4B includes all waters in the Bering Sea and the Gulf of Alaska west of Area 4A and south of 56°20'00" N. latitude;
- (8) Area 4C includes all waters in the Bering Sea north of Area 4A and north of the closed area defined in section 10 which are east of 171°00'00" W. longitude, south of 58°00'00" N. latitude, and west of 168°00'00" W. longitude;
- (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 168°00'00" W. longitude;
- (10) Area 4E includes all waters in the Bering Sea north and east of the closed area defined in section 10, east of 168°00'00" W. longitude, and south of 65°34'00" N. latitude.

7. Fishing in Regulatory Area 4E

- (1) A person may retain halibut taken with setline gear in the Area 4E CDQ fishery that are smaller than the size limit specified in Section 13, provided that no person may sell or barter such halibut.
- (2) Section 7 shall be effective until December 31, 1999.

8. Fishing Periods

- (1) The fishing periods for each regulatory area apply where the catch limits specified in section 11 have not been taken.
- (2) Each fishing period in the Area 2A directed fishery¹ shall begin at 0800 hours and terminate at 1800 hours local time on July 22, August 12, August 26, September 9, and September 23 unless the Commission specifies otherwise.
- (3) Notwithstanding paragraph (2), and paragraph (7) of section 11, an incidental catch fishery is authorized during salmon troll seasons in Area 2A in accordance with regulations promulgated by the National Marine Fisheries Service (NMFS).

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- (4) The fishing period in Areas 2B, 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E shall begin at 1200 hours local time on March 15 and terminate at 1200 hours local time on November 15 unless the Commission specifies otherwise.
- (5) All commercial fishing for halibut in Areas 2A, 2B, 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E shall cease at 1200 hours local time on November 15.

¹ The directed fishery is restricted to waters that are south of Point Chehalis, Washington (46°53'18'' N. latitude) under regulations promulgated by the National Marine Fisheries Service and published in the Federal Register.

9. 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 8 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), (8), (9), and (10) of section 19, 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/her 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 an authorized 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 authorized 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.

10. Closed Area

All waters in the Bering Sea north of 55°00'00'' N. latitude in Isanotski Strait that are enclosed by a line from Cape Sarichef Light (54°36'00'' N. latitude, 164°55'42'' W. longitude) to a point at 56°20'00'' N. latitude, 168°30'00'' W. longitude; thence to a point at 58°21'25'' N. latitude, 163°00'00'' W. longitude; thence to Strogonof Point (56°53'18'' N. latitude, 158°50'37'' W. longitude); 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/her possession while in those waters except in the course of a continuous transit across those waters. All waters in Isanotski Strait between 55°00'00'' N. latitude and 54°49'00'' N. latitude are closed to commercial halibut fishing.

11. Catch Limits

- (1) The total allowable catch of halibut to be taken during the halibut fishing periods specified in section 8 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	168,961	76.6
2B	13,000,000	5,895.7
2C	10,500,000	4,761.9
3A	26,000,000	11,791.4
3B	11,000,000	4,988.7
4A	3,500,000	1,587.3
4B	3,500,000	1,587.3
4C	1,590,000	721.1
4D	1,590,000	721.1
4E	320,000	145.1

- (2) Notwithstanding paragraph (1), regulations pertaining to the division of the Area 2A catch limit between the directed commercial fishery and the incidental catch fishery as described in paragraph (3) of section 8 will be promulgated by the National Marine Fisheries Service and published in the Federal Register.
- (3) The Commission shall determine and announce to the public the date on which the catch limit for Area 2A will be taken and the specific dates during which the directed fishery will be allowed in Area 2A.
- (4) Notwithstanding paragraph (1), Area 2B will close only when all Individual Vessel Quotas assigned by Canada's Department of Fisheries and Oceans are taken, or November 15, whichever is earlier.
- (5) Notwithstanding paragraph (1), Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E will close only when all Individual Fishing Quotas and all Community Development Quotas issued by the National Marine Fisheries Service have been taken, or November 15, whichever is earlier.
- (6) If the Commission determines that the catch limit specified for Area 2A in paragraph (1) would be exceeded in an unrestricted 10-hour fishing period as specified in paragraph (2) of section 8, the catch limit for that area shall be considered to have been taken unless fishing period limits are implemented.
- (7) When under paragraphs (2), (3), and (6) the Commission has announced a date on which the catch limit for Area 2A 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.

12. 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.

- (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 are weighed and reported on State fish tickets.
- (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) Fishing period limits in Area 2A apply only to the directed halibut fishery referred to in paragraph (2) of section 8.

13. 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 Figure 2; 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 Figure 2.
- (2) No person shall possess on board a vessel a halibut that has been mutilated, or otherwise disfigured in any manner that prevents the determination of whether the halibut complies with the size limits specified in this section, except that:
 - (a) this paragraph shall not prohibit the possession on board a vessel of halibut cheeks cut from halibut caught by persons authorized to process the halibut on board in accordance with NMFS regulations published at Title 50, Code of Federal regulations, part 679; and
 - (b) no person shall possess a filleted halibut on board a vessel.

- (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.

14. Careful Release of Halibut

All halibut that are caught and are not retained 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.

15. Vessel Clearance in Area 4

- (1) The operator of any vessel that fishes for halibut in Areas 4A, 4B, 4C, or 4D must obtain a vessel clearance before fishing in any of these areas, and before the unloading of any halibut caught in any of these areas, unless specifically exempted in paragraphs (9), (12), (13), (14), or (15).
- (2) The vessel clearance required under paragraph (1) prior to fishing in Area 4A may be obtained only at Dutch Harbor or Akutan, Alaska, from an authorized officer of the United States, a representative of the Commission, or a designated fish processor.
- (3) The vessel clearance required under paragraph (1) prior to fishing in Area 4B may only be obtained at Nazan Bay on Atka Island, Alaska, from an authorized officer of the United States, a representative of the Commission, or a designated fish processor.
- (4) The vessel clearance required under paragraph (1) prior to fishing in Area 4C or 4D may be obtained only at St. Paul or St. George, Alaska, from an authorized officer of the United States, a representative of the Commission, or a designated fish processor by VHF radio and allowing the person contacted to confirm visually the identity of the vessel.
- (5) The vessel operator shall specify the specific regulatory area in which fishing will take place.
- (6) Before unloading any halibut caught in Area 4A, a vessel operator may obtain the clearance required under paragraph (1) only in Dutch Harbor or Akutan, Alaska, by contacting an authorized officer of the United States, a representative of the Commission, or a designated fish processor.
- (7) Before unloading any halibut caught in Area 4B, a vessel operator may obtain the clearance required under paragraph (1) only in Nazan Bay on Atka Island, either in person or by contacting an authorized officer of the United States, a representative of the Commission, or a designated fish processor by VHF radio and allowing the person contacted to confirm visually the identity of the vessel.
- (8) Before unloading any halibut caught in Area 4C or 4D, a vessel operator may obtain the clearance required under paragraph (1) only in St. Paul, St. George, Dutch Harbor, or Akutan, Alaska, either in person or by contacting an authorized officer of the United States, a representative of the Commission, or a designated fish processor. The clearances obtained in St. Paul or St. George, Alaska, can be obtained by VHF radio and allowing the person contacted to confirm visually the identity of the vessel.
- (9) Any vessel operator who complies with the requirements in Section 18 for possessing halibut on board a vessel that was caught in more than one regulatory area in Area 4 is exempt from the clearance requirements of paragraph (1) of this section, but must comply with the following requirements:

- (a) the operator of the vessel must obtain a vessel clearance prior to fishing in Area 4 in either Dutch Harbor, Akutan, St. Paul, St. George, or Nazan Bay on Atka Island by contacting an authorized officer of the United States, a representative of the Commission, or a designated fish processor. The clearance obtained in St. Paul, St. George, or Nazan Bay on Atka can be obtained by VHF radio and allowing the person contacted to confirm visually the identity of the vessel. This clearance will list the Areas in which the vessel will fish; and
 - (b) before unloading any halibut from Area 4, the vessel operator must obtain a vessel clearance from Dutch Harbor, Akutan, St. Paul, St. George, or Nazan Bay on Atka Island by contacting an authorized officer of the United States, a representative of the Commission, or a designated fish processor. The clearance obtained in St. Paul, St. George, or Nazan Bay on Atka Island can be obtained by VHF radio and allowing the person contacted to confirm visually the identity of the vessel.
- (10) Vessel clearances shall be obtained between 0600 and 1800 hours, local time.
 - (11) No halibut shall be on board the vessel at the time of the clearances required prior to fishing in Area 4.
 - (12) Any vessel that is used to fish for halibut only in Area 4A and lands its total annual halibut catch at a port within Area 4A is exempt from the clearance requirements of paragraph (1).
 - (13) 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).
 - (14) 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).
 - (15) Any vessel that is used to fish for halibut only in Areas 4D and 4E and lands its total annual halibut catch at a port within Areas 4D, 4E, or the closed area defined in section 10, is exempt from the clearance requirements of paragraph (1).

16. Logs

- (1) The operator of any U.S. vessel that has an overall length of 26 feet (7.9 meters) 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. The log information must be recorded in the groundfish daily fishing logbook provided by NMFS, or Alaska hook-and-line logbook provided by Petersburg Vessels Owners Association or Alaska Longline Fisherman's Association, or the logbook provided by IPHC.
- (2) The log referred to in paragraph (1) shall be
 - (a) 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 an authorized 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 offloading halibut.
- (3) The log referred to in paragraph (1) does not apply to the incidental halibut fishery in Area 2A defined in paragraph (3) of section 8.

- (4) The operator of any Canadian vessel 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. The log information must be recorded in the British Columbia Halibut Fishery logbook provide by DFO.
- (5) The log referred to in paragraph (4) shall be
 - (a) 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 an authorized officer or any authorized representative of the Commission upon demand;
 - (e) kept on board the vessel when engaged in halibut fishing, during transits to port of landing, and for five (5) days following offloading halibut; and
 - (f) mailed to the Department of Fisheries and Oceans (yellow copy) and IPHC (white copy) within seven days of offloading.
- (6) The poundage of any halibut that is not sold, but is utilized by the vessel operator, his/her crew members, or any other person for personal use, shall be recorded in the vessel's log within 24-hours of offloading.
- (7) No person shall make a false entry in a log referred to in this section.

17. Receipt and Possession of Halibut

- (1) No person shall receive halibut from a United States vessel that does not have on board the license required by section 3.
- (2) No person shall offload halibut from a vessel unless the gills and entrails have been removed prior to offloading.
- (3) A commercial fish processor in the United States who purchases or receives halibut directly from the owner or operator of a vessel that was engaged in halibut fishing must weigh and record all halibut on board said vessel at the time offloading commences and record on State fish tickets or Federal catch reports the date, locality, name of vessel, Halibut Commission license number (for Area 2A), the name(s) of the person(s) from whom the halibut was purchased; and the scale weight obtained at the time of offloading of all halibut on board the vessel including the pounds purchased; pounds in excess of IFQs, IVQs, or fishing period limits; pounds retained for personal use; and pounds discarded as unfit for human consumption.
- (4) The master or operator of a Canadian vessel that was engaged in halibut fishing must weigh and record all halibut on board said vessel at the time offloading commences and record on State fish tickets or Federal catch reports the date, locality, name of vessel, the name(s) of the person(s) from whom the halibut was purchased; and the scale weight obtained at the time of offloading of all halibut on board the vessel including the pounds purchased; pounds in excess of IVQs; pounds retained for personal use; and pounds discarded as unfit for human consumption.
- (5) No person shall make a false entry on a State fish ticket or a Federal catch or landing report referred to in paragraphs (3) and (4).
- (6) A copy of the fish tickets or catch reports referred to in paragraphs (3) and (4) shall be
 - (a) retained by the person making them for a period of three years from the date the fish

tickets or catch reports are made; and

- (b) open to inspection by an authorized officer or any authorized representative of the Commission.
- (7) No person shall possess any halibut that he/she knows to have been taken in contravention of these Regulations.
- (8) When halibut are delivered to other than a commercial fish processor the records required by paragraph (3) shall be maintained by the operator of the vessel from which that halibut was caught, in compliance with paragraph (6).
- (9) 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.

18. Fishing Multiple Regulatory Areas

- (1) Except as provided in this section, no person shall possess at the same time on board a vessel halibut caught in more than one regulatory area.
- (2) Halibut caught in Regulatory Areas 2C, 3A, and 3B may be possessed on board a vessel at the same time providing the operator of the vessel:
 - (a) has a NMFS-certified observer on board when required by NMFS regulations² published at Title 50, Code of Federal Regulations, section 679.7(f)(4); and
 - (b) can identify the regulatory area in which each halibut on board was caught by separating halibut from different areas in the hold, tagging halibut, or by other means.
- (3) Halibut caught in Regulatory Areas 4A, 4B, 4C, and 4D may be possessed on board a vessel at the same time providing the operator of the vessel:
 - (a) has a NMFS-certified observer on board the vessel when halibut caught in different regulatory areas are on board; and
 - (b) can identify the regulatory area in which each halibut on board was caught by separating halibut from different areas in the hold, tagging halibut, or by other means.
- (4) Halibut caught in Regulatory Areas 4A, 4B, 4C, and 4D may be possessed on board a vessel when in compliance with paragraph (3) and if halibut from Area 4 are on board the vessel, the vessel can have halibut caught in Regulatory Areas 2C, 3A, and 3B on board if in compliance with paragraph (2).

² Without an observer, a vessel cannot have on board more halibut than the IFQ for the area that is being fished even if some of the catch occurred earlier in a different area.

19. 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 Area 2A 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 Area 2A 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) No person on board a vessel from which setline gear was used to fish for any species of fish anywhere in Areas 2B, 2C, 3A, 3B, 4A, 4B, 4C, 4D, or 4E during the 72-hour period immediately before the opening of the halibut fishing season shall catch or possess halibut anywhere in those areas until the vessel has removed all of its setline gear from the water and has either
- (a) made a landing and completely offloaded its entire catch of other fish; or
 - (b) submitted to a hold inspection by an authorized officer.
- (10) No vessel from which setline gear was used to fish for any species of fish anywhere in Areas 2B, 2C, 3A, 3B, 4A, 4B, 4C, 4D, or 4E during the 72-hour period immediately before the opening of the halibut fishing season may be used to catch or possess halibut anywhere in those areas until the vessel has removed all of its setline gear from the water and has either
- (a) made a landing and completely offloaded its entire catch of other fish; or
 - (b) submitted to a hold inspection by an authorized officer.
- (11) Notwithstanding any other provision in these regulations, a person may retain and possess, but not sell or barter halibut taken with trawl gear only as authorized by Prohibited Species Donation regulations of the National Marine Fisheries Service.

20. 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 an authorized officer.
- (2) After examination and removal of the tag by a representative of the Commission or an authorized officer, the halibut
- (a) may be retained for personal use; or
 - (b) may be sold if it complies with the provisions of section 13, Size Limits.

21. Supervision of Unloading and Weighing

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

22. Fishing by United States Treaty Indian Tribes

- (1) Halibut fishing in subarea 2A-1 by members of United States treaty Indian tribes located in the State of Washington shall be regulated under regulations promulgated by the National Marine Fisheries Service and published in the Federal Register.
- (2) Subarea 2A-1 includes all waters off the coast of Washington that are north of 46°53'18'' N. latitude and east of 125°44'00'' W. longitude, and all inland marine waters of Washington.
- (3) Commercial fishing for halibut in subarea 2A-1 is permitted with hook and line gear from March 15 through November 15, or until 272,000 pounds (123.4 metric tons) is taken, whichever occurs first.
- (4) 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 15,000 pounds (6.8 metric tons).

23. 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
 - 195,078 pounds (88.5 metric tons) in waters off Washington and
 - 168,961 pounds (76.6 metric tons) in waters off California and Oregon;
 - (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;
 - (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 the coast of British Columbia is three halibut.
- (9) The possession limit for halibut in the waters off Washington, Oregon, and California is the same as the daily bag limit.
- (10) 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.
- (11) No person shall be in possession of halibut on a vessel while fishing in a closed area.
- (12) No halibut caught by sport fishing shall be offered for sale, sold, traded, or bartered.
- (13) 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.
- (14) The operator of a charter vessel shall be liable for any violations of these regulations committed by a passenger aboard said vessel.

24. 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
GREGG BEST
RALPH HOARD
RODNEY PIERCE
ANDREW SCALZI

Published by the International Pacific Halibut Commission

Appendix

Synopsis Of U.S. Sport Regulations for California, Oregon, and Washington

	Area	Area Catch Projection (lbs.)	Fishing Seasons		Daily Bag & Possession Limit	Minimum Size
			Dates	Days/Weeks		
Puget Sound	East of Bomilla-Tatoosh line	57,191	5/21 - 8/3	5 (Thur - Mon)	1	None
Northwest WA	Bomilla-Tatoosh line to Queets River (closed area SW of Cape Flattery)	81,052	5/01 - **	5 (Tues - Sat)	1	None
		15,000	7/01 - **	5(Tues - Sat)	1	None
Southwest WA	Queets River to Leadbetter Point (closed area SW of Queets River)	36,648	5/03 - ** ¹	5(Sun - Thur)	1	None
Columbia River	Leadbetter Point to Cape Falcon	8,565	5/01 - 9/30*	7	1	32" Min
Central OR	Cape Falcon to Siuslaw River	149,362	5/14, 5/15, 5/16, 5/21, 5/22, 5/23	-	2	1 @ 32" Min 1 @ 50" Min
			5/24 - 8/6 ²	7	2	"
			8/07 ³	-	2	"
Southern OR	Siuslaw River to CA/OR border	11,827	5/14, 5/15, 5/16, 5/21, 5/22, 5/23	-	2	1 @ 32" Min 1 @ 50" Min
			5/24 - 8/6 ²	7	2	"
			8/07 ³	-	2	"
California	South of CA/OR border	4,393	5/01 - 9/30	7	1	32" Min

* Or earlier date to be announced by Commission

** Date to be announced by Commission

¹ Restricted to near-shore waters when 1,000 pounds are left in catch limit

² Restricted to waters inside the 30-fathom curve

³ Re-openings will be announced on the NMFS hotline and by IPHC News Releases if unharvested quota remains

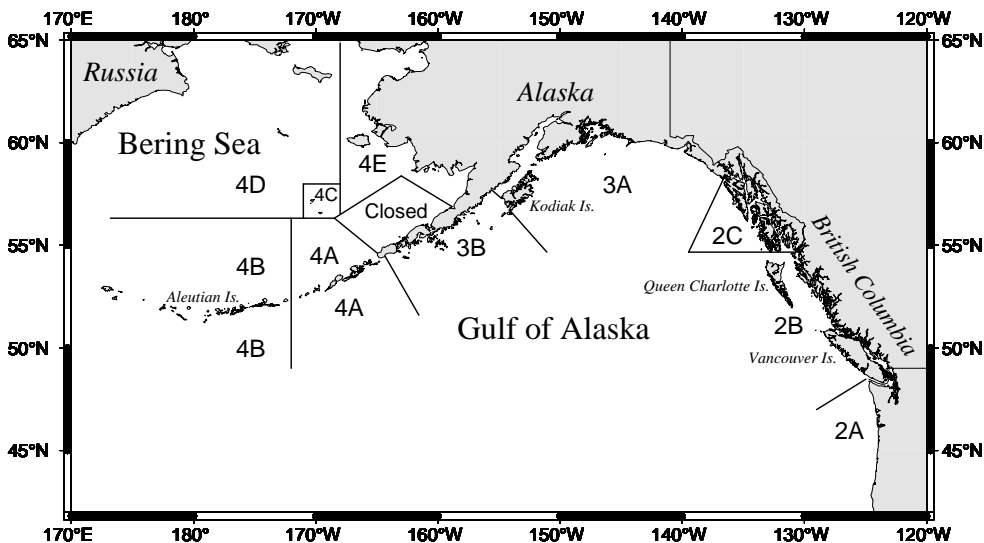


Figure 1. Regulatory Areas for the Pacific halibut fishery

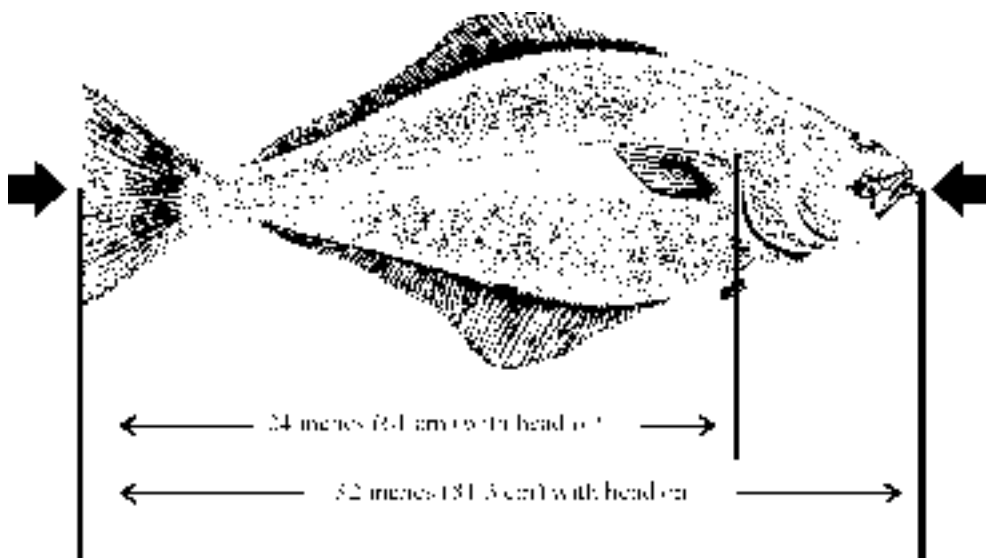
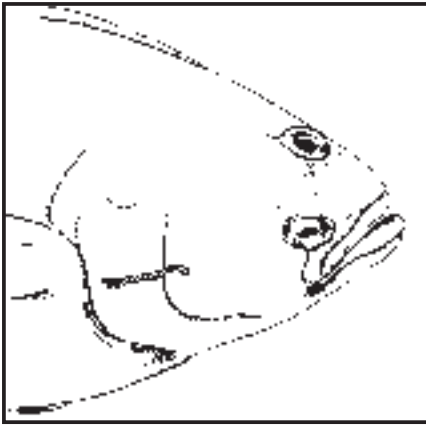


Figure 2. Minimum Commercial Size

TAGGED HALIBUT

The INTERNATIONAL PACIFIC HALIBUT COMMISSION attaches plastic-coated wire tags to the cheek on the dark side of the halibut, as in the diagram below. **Fishermen should retain all tagged halibut, regardless of gear type used, time of year caught, or size of the halibut.**



REWARD

\$5.00 or a baseball cap with tag reward logo will be paid for the return of each tag.

The IPHC also pays a reward for the return of Halibut Sport Tags:

1. A plastic-tipped dart tag inserted into the back just below the dorsal fin.
2. A metal-tipped tag inserted into the flesh behind the head.

WHEN YOU CATCH A TAGGED HALIBUT:

1. Record tag numbers, date, location and depth .
2. Leave the tag on the fish until landed.
3. If possible, mark the fish with a gangion or flagging tape around the tail.

WHEN YOU LAND A TAGGED HALIBUT:

1. Report fish to a Commission representative or government officer
or
2. Forward tags to address below and enclose recovery information (see above), your name, address, boat name, gear, fish length, and, if possible, the ear bones. Tags should be completely removed from the fish. Plastic-tipped and metal-tipped tags may need to be cut out of the fish.

FINDER WILL BE ADVISED OF MIGRATION AND GROWTH OF THE FISH.

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