



**Oregon Administrative Rules
Oregon Department of Fish and Wildlife**

**COMMERCIAL FISHERIES
DIVISION 004
COMMERCIAL FISHERIES OTHER THAN SALMON OR SHELLFISH
Other Finfish Section
Pacific Halibut Fishery**

635-004-0585

Scope, Inclusion, and Modification of Rules

(1) The commercial Pacific halibut fishery in the Pacific Ocean off Oregon is jointly managed by the state of Oregon, the federal government, and the International Pacific Halibut Commission (IPHC). The **Code of Federal Regulations** provides federal requirements for this fishery, including but not limited to the time, place, and manner of taking Pacific halibut. However, additional federal regulations may be promulgated subsequently by publication in the Federal Register, and these supersede, to the extent of any inconsistency, the **Code of Federal Regulations**. Therefore, the following publications are incorporated into Oregon Administrative Rule by reference:

(a) **Code of Federal Regulations**, Part 660, Subpart E, (October 1, ~~2014~~[2013] ed.); and

(b) **Federal Register/Vol. 80, No. 62, dated April 1, 2015**[Federal Register Vol. 79, No. 48, dated ~~March 12, 2014 (79 FR 3906)~~].

(2) Persons must consult the federal regulations in addition to Division 004 to determine all applicable Pacific halibut fishing requirements. The area that federal regulations apply to is hereby extended to the area from shore to three nautical miles from shore, coterminous with the Exclusive Economic Zone.

(3) The Commission may adopt additional or modified regulations that are more conservative than federal regulations, in which case Oregon Administrative Rule takes precedence.

(4) It is *unlawful* to take Pacific halibut for commercial purposes except as set by federal regulations and the IPHC and in accordance with a valid permit issued by the IPHC.

[Publications: Publications referenced are available from the Department.]

Stat. Auth.: ORS 496.138, 496.162, 506.036, 506.109, 506.119 & 506.129

Stats. Implemented: ORS 469.162, 506.109, 506.129 & 508.306

**DIVISION 039
MARINE FISH, SHELLFISH AND
MARINE INVERTEBRATES**

635-039-0085

Halibut Seasons

(1) The Pacific halibut sport fishery in Oregon is regulated by the federal government and the



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37 International Pacific Halibut Commission (IPHC). OAR Chapter 635, Division 039 incorporates into
38 Oregon Administrative Rules, by reference:

39 (a) **Title 50 of the Code of Federal Regulations, Part 300, Subpart E** (October 1, 2014[2013] ed.),
40 as amended;

41 (b) Federal Register/Vol. 80, No. 51, dated March 17, 2015[~~Federal Register Vol. 79, No. 48,~~
42 ~~dated March 12, 2014 (79 FR 3906)~~]; and

43 (c) Federal Register/Vol. 80, No. 62, dated April 1, 2015[~~Federal Register Vol. 79, No. 65, dated~~
44 ~~April 4, 2014 (79 FR 18827)~~].

45 (2) Therefore, persons must consult all publications referenced in this rule in addition to Division 039 to
46 determine applicable halibut fishing seasons.

47 [Publications: Publications referenced are available from the agency.]

48 Stat. Auth.: ORS 496.138, 496.162, 506.036, 506.109, 506.119 & 506.129

49 Stats. Implemented: ORS 496.162 & 506.129

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51 **635-039-0090**

52 **Inclusions and Modifications**

53 (1) The **2015 Oregon Sport Fishing Regulations** provide requirements for sport fisheries for marine
54 fish, shellfish, and marine invertebrates in the Pacific Ocean, coastal bays, and beaches, commonly
55 referred to as the Marine Zone. However, additional regulations may be adopted in this rule division
56 from time to time and to the extent of any inconsistency, they supersede the **2015 Oregon Sport**
57 **Fishing Regulations**.

58 (2) For the purposes of this rule, a "sport harvest guideline" is defined as a specified numerical harvest
59 objective that is not a quota. Attainment of a harvest guideline does not automatically close a fishery.
60 Upon attainment of a sport harvest guideline, the Department shall initiate consultation to determine if
61 additional regulatory actions are necessary to achieve management objectives.

62 (a) The following sport harvest guidelines include the combined landings and other fishery related
63 mortality by the Oregon sport fishery in a single calendar year:

64 (A) Black rockfish, 440.8 metric tons.

65 (B) Cabezon, 16.8 metric tons.

66 (C) Blue rockfish and other nearshore rockfish combined, 26 metric tons.

67 (b) The following sport harvest guidelines include total landings in the Oregon sport ocean boat
68 fishery in a single calendar year: Greenling, 5.2 metric tons.

69 (3) For the purposes of this rule, "Other nearshore rockfish" means the following rockfish species: black



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70 and yellow (*Sebastes chrysomelas*); brown (*S. auriculatus*); calico (*S. dalli*); China (*S. nebulosus*);
71 copper (*S. caurinus*); gopher (*S. carnatus*); grass (*S. rastrelliger*); kelp (*S. atrovirens*); olive (*S.*
72 *serranoides*); quillback (*S. maliger*); and treefish (*S. serriceps*).

73 (4) In addition to the regulations for Marine Fish in the **2015 Oregon Sport Fishing Regulations**, the
74 following apply for the sport fishery in the Marine Zone in 2015:

75 (a) Lingcod (including green colored lingcod): 2 fish daily bag limit.

76 (b) All rockfish ("sea bass" "snapper"), greenling ("sea trout"), cabezon, skates, and other marine
77 fish species not listed in the **2015 Oregon Sport Fishing Regulations** in the Marine Zone, located
78 under the category of Species Name, Marine Fish: 7 fish daily bag limit in aggregate (total sum or
79 number), of which no more than three may be a blue rockfish, no more than one may be a canary
80 rockfish, and no more than one may be a cabezon. Retention of the following species is prohibited:

81 (A) Yelloweye rockfish;

82 (B) China rockfish;

83 (C) Copper rockfish;

84 (D) Quillback rockfish; and

85 (E) Cabezon from January 1 through June 30.

86 (c) Flatfish (flounder, sole, sanddabs, turbot, and all halibut species except Pacific halibut): 25 fish
87 daily bag limit in aggregate (total sum or number).

88 (d) Retention of all marine fish listed under the category of Species Name, Marine Fish, except
89 Pacific cod, sablefish, **flatfish**, herring, anchovy, smelt, sardine, striped bass, hybrid bass, and offshore
90 pelagic species (excluding leopard shark and soupfin shark), is prohibited when Pacific halibut is
91 retained on the vessel during open days for the all-depth sport fishery for Pacific halibut north of
92 Humbug Mountain. Persons must also consult all publications referenced in OAR 635-039-0080 to
93 determine all rules applicable to the taking of Pacific halibut.

94 (e) Harvest methods and other specifications for marine fish in subsections (4)(a), (4)(b) and (4)(c)
95 including the following:

96 (A) Minimum length for lingcod, 22 inches.

97 (B) Minimum length for cabezon, 16 inches.

98 (C) Minimum length for greenling, 10 inches.

99 (D) May be taken by angling, hand, bow and arrow, spear, gaff hook, snag hook and herring jigs.

100 (E) Mutilating the fish so the size or species cannot be determined prior to landing or
101 transporting mutilated fish across state waters is prohibited.



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102 (f) Sport fisheries for species in subsections (4)(a), (4)(b) and (4)(c) and including leopard shark and
103 soupfin shark are open January 1 through December 31, twenty-four hours per day, except as provided
104 in subsections (4)(a) and (4)(d), and ocean waters are closed for these species during April 1 through
105 September 30, outside of the 30-fathom curve (defined by latitude and longitude) as shown on **Title 50**
106 **Code of Federal Regulations Part 660 Section 71**. A 20-fathom, 25-fathom, or 30-fathom curve, as
107 shown on **Title 50 Code of Federal Regulations Part 660 Section 71** may be implemented as the
108 management line as in-season modifications necessitate. In addition, the following management lines
109 may be used to set area specific regulations for inseason action only:

110 (A) Cape Lookout (45°20'30" N latitude); and

111 (B) Cape Blanco (42°50'20" N latitude).

112 (g) The Stonewall Bank Yelloweye Rockfish Conservation Area (YRCA) is defined by coordinates
113 specified in **Title 50 Code of Federal Regulations Part 660 Section 70** (October 1, 2014 ed.). Within
114 the YRCA, it is unlawful to fish for, take, or retain species listed in subsections (4)(a), (4)(b) and (4)(c)
115 of this rule, leopard shark, soupfin shark, and Pacific halibut using recreational fishing gear. A vessel
116 engaged in recreational fishing within the YRCA is prohibited from possessing any species listed in
117 subsections (4)(a), (4)(b) and (4)(c) of this rule, leopard shark, soupfin shark, and Pacific halibut.
118 Recreational fishing vessels in possession of species listed in subsections (4)(a), (4)(b) and (4)(c) and
119 including leopard shark, soupfin shark, and Pacific halibut may transit the YRCA without fishing gear in
120 the water.

121 [Table 1, as referenced, is available from the Department]

122 Stat. Auth.: ORS 496.138, 496.146, 497.121, 506.119

123 Stats. Implemented: ORS 496.004, 496.009, 496.162, 506.129