

**635-006-0232****Damages for Commercial Fishing Violations**

(1) For purposes of ORS 506.720 the following shall be the **2008**[2007] average market value of food fish species. For species not listed, the average market value shall be the price per pound paid to law enforcement officials for any fish or shellfish confiscated from the person being assessed damages, or the average price per pound paid for that species during the month in which the violation occurred, whichever is greater. Unless otherwise noted, the amount given is the price per pound and is based on round weight.

(a) FISH:

(A) Anchovy, Northern **\$0.20**[0.04].

(B) Cabezon, **\$3.48**[3.46].

(C) Carp \$0.50 (**2006 price**).

(D) Cod, Pacific **\$0.53**[0.49].

(E) Flounder, arrowtooth **\$0.10**[0.14].

(F) Flounder, starry **\$0.37**[0.39].

(G) Greenling, **\$4.55**[4.67].

(H) Grenadier \$0.11.

(I) Hagfish **\$0.55**[0.45].

(J) Hake, Pacific (Whiting) **\$0.08**[0.06].

(K) Halibut, Pacific, dressed weight with head on **\$4.00**[3.52].

(L) Herring, Pacific **\$0.29**[0.20].

(M) Lingcod, **\$1.82**[1.78].

(N) Mackerel, jack **\$0.05**[0.03], Pacific **\$0.03**[0.02].

(O) Opah **\$1.74**[1.00 (2005 price)].

(P) Pacific ocean perch, **\$0.48**[0.47].

(Q) Pollock, Walleye \$0.67 (2001 price).

(R) Rockfish:

(i) Black, **\$2.05**[1.96].

(ii) Blue, **\$2.82**[2.47].

(iii) Canary, **\$0.51**[using trawl gear \$0.50, using line and pot gear, \$0.50].

(iv) Darkblotched, **\$0.47**[0.46].

(v) Nearshore, **\$6.02**[5.86].

(vi) Shelf, **\$0.45**[0.43].

(vii) Shortbelly, using trawl gear \$0.29 (2003 price).

(viii) Slope, using trawl gear, **\$0.49**[0.48] using line and pot gear **\$0.51**[0.58].

(ix) **Tiger, \$3.91.**

**(x) Vermilion, \$2.62.**

**(xi) Widow \$0.49**[0.47].

(xii) Yelloweye, using trawl gear **\$0.54**[0.54], using line and pot gear \$1.00.

(xiii) Yellowtail, using trawl gear \$0.50, using line and pot gear **\$1.66**[1.17].

(S) Sablefish:

(i) Dressed weight, ungraded **\$3.50**[3.54], extra small **\$2.42**[2.12], small **\$3.47**[3.16], medium **\$3.94**[3.82] and large **\$4.14**[4.16].

(ii) Round weight, ungraded **\$1.83**[1.95], extra small **\$1.09**[0.95], small **\$1.35**[1.29], medium **\$1.74**[1.59] and large **\$2.21**[1.95].

(T) Salmon, Chinook, Ocean dressed weight: large **\$5.63**[5.47], medium **\$5.53**[5.46], small **\$5.49**[4.78] and mixed size **\$5.72**[5.50].

(U) Salmon, coho, Ocean dressed weight: mixed size **\$1.90**[2.94].

(V) Salmon, pink, ocean dressed weight, ungraded, **\$1.03**[1.25 (2005 price)].

(W) Sanddab, Pacific **\$0.44**[0.42].

(X) Sardine, Pacific \$0.05.

(Y) Shad, American:

(i) Coast, ungraded, gill net and set net, \$0.30 (2003 price).

(ii) Columbia, ungraded **\$0.15**[0.22].

(iii) ~~Midwater trawl \$0.01 (2005 price)].~~

(Z) Shark, blue **\$0.83**[0-44], Pacific sleeper \$0.62 (2000 price), shortfin mako \$1.50 (**2006 price**), sixgill, **\$0.05**[0-50 (~~2001 price~~)], soupfin **\$0.51**[0-48], spiny dogfish **\$0.13**[0-15], scalloped hammerhead \$0.12 (2001 price), silky \$0.18 (2001 price), thresher dressed weight \$1.50 (1995 price) and round weight **\$0.60**[0-79] and other species **\$1.00**[0-10 (~~2004 price~~)].

(AA) Skates and Rays **\$0.23**[0-15].

(BB) Smelt, Eulachon (Columbia River), **\$3.59**[2-07] and other species \$2.00 (2004 price).

(CC) Sole, butter \$0.32, curlfin (turbot) **\$0.30**[0-22], Dover \$0.38, English \$0.31, flathead **\$0.30**[0-32], petrale **\$0.94**[1-00], rex **\$0.34**[0-36], rock **\$0.35**[0-36] and sand **\$0.64**[0-63].

(DD) Steelhead **\$0.76**[0-44].

(EE) Sturgeon, green **\$1.44**[0-86] and white **\$2.11**[2-04].

(FF) Surfperch \$1.00 (**2006 price**).

(GG) Swordfish \$3.25 (2003 price).

(HH) Thornyhead (Sebastes), longspine **\$0.51**[0-65] and shortspine **\$0.63**[0-78].

(II) Tuna, albacore **\$0.90**[0-94], bluefin \$2.50 (2004 price) and yellowfin \$3.49 (**2006 price**).

(JJ) Walleye **\$2.47**[1-64].

(KK) Wolf-eel **\$0.06**[0-63].

(LL) Wrymouth **\$0.22**[0-18].

(b) CRUSTACEANS:

(A) Crab: box \$2.00, Dungeness bay **\$3.09**[2-74] and ocean **\$2.38**[1-57], rock **\$1.20**[1-43] and Tanner \$0.69 (2003 price).

(B) Crayfish **\$1.88**[1-84].

(C) Shrimp: brine \$1.00, coonstripe **\$1.57**[3-00], ghost (sand) **\$2.68**[2-33], mud **\$1.21**[1-28], pink **\$0.47**[0-37] (applied to the gross round weight of the confiscated pink shrimp reported on the fish receiving ticket) and spot **\$6.58**[8-10].

(D) Water flea (Daphnia) \$0.65 (2002 price).

(c) MOLLUSKS:

(A) Abalone, flat **\$17.00**[16-30].

(B) Clams: butter **\$0.31**[0-30], cockle **\$0.56**[0-48], gaper **\$0.56**[0-30], littleneck \$2.00 (**2006 price**), razor **\$2.29**[2-07] and softshell **\$0.50**[2-40 (~~2005 price~~)].

(C) Mussels, ocean \$0.74 (**2006 price**).

(D) Octopus **\$0.69**[1-03].

(E) Scallop, rock \$0.70 (2005 price).

(F) Scallop, weathervane dressed weight (shucked) \$5.73 (2002 price) and round weight \$0.55 (2002 price).

(G) Squid 0.23.

(d) OTHER INVERTEBRATES:

(A) Jellyfish \$10.00 (2004 price).

(B) Sea cucumber \$0.30 (2005 price).

(C) Sea urchin, red **\$0.38**[0-39] and purple \$0.30 (2004 price).

(D) Sea stars \$1.00 (**2006 price**).

(2) The Department may initiate civil proceedings to recover damages as authorized by ORS 506.720 where the value of any food fish unlawfully taken exceeds \$300, except for food fish taken by trawl in the groundfish fishery where the trip limit has not been exceeded by more than 15%.

Stat. Auth.: ORS 506.119

Stats. Implemented: ORS 506.109 and ORS 506.720

Hist.: Adopted 1-11-08, f. & ef. upon filing