

Schedule of Damages for Commercial Fishing Violations

Exhibit B

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ORS 506.720

Damages for Unlawful Taking of Food Fish

“The State Fish and Wildlife Commission may institute suit for recovery of damages for the unlawful taking, possession or killing of food fish referred to in this section that are the property of the State.”

ORS 506.720

Damages for Unlawful Taking of Food Fish

For Pink Shrimp

- 1st violation **5 % avg market value**
- 2nd violation (5 yrs) **10 %**
- 3rd & subsequent violations (5 yrs) **20 %**

For Salmon & Steelhead, Ocean

- 1st violation **2 x avg market value**
- 2nd & subsequent violations (5 yrs) **\$125 per fish**

For Salmon & Steelhead, Freshwater

- All violations **\$125 per fish**

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Damages for Unlawful Taking of Food Fish

For Pink Shrimp

- 1st violation 5 % avg market value
- 2nd violation (5 yrs) 10 %
- 3rd & subsequent violations (5 yrs) 20 %

For Salmon & Steelhead, Ocean

- 1st violation 2 x avg market value
- 2nd & subsequent violations (5 yrs) \$125 per fish

For Salmon & Steelhead, Freshwater

- All violations \$125 per fish

All Other Food Fish

2 times the average market value

Annual Update of Average Market Values

ORS 506.720

“ The Commission shall by rule in January of each year establish the average market value for each species of food fish for the year.”

Average Market Values

Changes to OAR 635-006-0232

- **Reflect last year's average prices (\$ per lb) as reported by Oregon commercial fish dealers (i.e., ODFW fish tickets)**
- **To fully represent the market value, the live price has been used for species with significant live landings regardless of disposition**
- **Overall, minor adjustments to previous year's prices as shown in the revised Attachment 3.**

Miscellaneous

- In Exhibit C, Marine Resources staff will recommend inclusion of a new species definition “Deacon Rockfish” which are now identified as being a separate species from Blue Rockfish.
- “Deacon Rockfish” is proposed to be included in this OAR for consistency

Staff Recommendations

- **Adjust commercial food fish values based on 2015 average prices, as shown in the revised Attachment 3**

End

