



## AGENDA ITEM SUMMARY

### BACKGROUND

ORS 506.720 states “The Commission shall by rule in January of each year establish the average market value of each species of food fish for the year.” These market values are used for the purpose of filing lawsuits for damages associated with unlawful taking of food fish.

### PUBLIC INVOLVEMENT

These values are based on the previous year’s commercial value of food fish species. Public notice of proposed rulemaking was made November 22, 2021.

### ISSUE

Adopt the average market value for each species of food fish.

### ANALYSIS

Adjustments were made, reflecting the average prices during 2021, as reported by Oregon commercial fish dealers.

Average prices are based on data collected from Oregon Department of Fish and Wildlife (ODFW) fish tickets.

To fully represent the market value, the live price has been used for species with significant live landings regardless of the method of capture.

Columbia River salmon and steelhead prices have been omitted from the schedule of damages to avoid confusion, as damages are explicitly defined as \$125 per fish in the statute.

### OPTIONS

1. Adopt rule amendments as proposed by staff in Attachment 3.
2. Modify proposed rule amendments.
3. No Action (values would remain the same as current rule).

### STAFF RECOMMENDATION

1. Option 1; adopt rule amendments as proposed by staff in Attachment 3.

**DRAFT MOTION**

I move to amend the Schedule of Damages for Commercial Fishing Violations contained in OAR 635-006-0232 as proposed by staff in Attachment 3.

EFFECTIVE DATE: Upon filing