



Division 7

FISH MANAGEMENT AND HATCHERY OPERATION

635-007-0530

Sale of Salmon and Trout and Their Eggs

(1) The Department will sell salmon and trout or the eggs of salmon and trout after first assuring that, within the capability of the Department to do so, the policy of the state as set forth in ORS 496.012 relating to trout and ORS 506.109 relating to salmon (food fish) has been met, and that such fish and eggs are surplus to the fish production needs of the state as determined by the Department in accordance with the established general priority for use of salmon eggs and fingerlings. ~~and~~ **Fish and eggs will be sold** in accordance with statutes relative to handling of surplus property.

(2) ~~[Within established priorities, eggs will first be sold to those prospective purchasers who will directly or indirectly provide the greatest benefit to the public fisheries of Oregon.]~~ **When selling eggs and carcasses from hatchery facilities to provide revenues to support hatchery programs and facilities, the Department shall prioritize sales in the following order:**

- (a) **Oregon small businesses in communities with high rates of unemployment;**
- (b) **Other Oregon small businesses;**
- (c) **All other businesses.**

Statutory/Other Authority: ORS 508.730

Statutes/Other Implemented: House Bill 3191 (2021)

635-007-1000

Carcasses for Stream Enrichment

~~[(1) Before approving the use of fish carcasses or fish components for stream enrichment programs, the Fish Division must determine that the use is]~~ **At least 45 percent of the carcasses from all adult hatchery-produced fish that return to hatchery facilities, averaged over 10 years, must be retained and placed at seasonally appropriate times in natural spawning and rearing areas to enhance nutrient recycling. Distribution of carcasses in any single year will take account of the following:**

**(1) Placement is** consistent with ~~[the Department of Environmental Quality's ]~~ requirements **of state and federal water quality laws.**

(2) The Department must review the disease history of the hatchery and particular fish stock, current fish health testing results, geographic location and history of fish disease, and presence of disease agents in the receiving stream and watershed as a whole ~~[in order]~~ to minimize the risk of



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

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- 34 introducing or disseminating disease agents into the receiving waters.
- 35 (3) Only fish that are killed as excess brood or that survive to spawn may be used for carcass  
36 distribution.
- 37 (4) Carcasses must be placed in the originating river basin or [~~where~~]locations identified in hatchery  
38 program management plans or other operational or conservation plans.
- 39 (5) The Fish Division may stop carcass distribution if pathogen levels increase in spawned adult fish  
40 during the spawning period.
- 41 **Stat: Auth.:** ORS 506.050
- 42 **Statutes/Other Implemented:** ORS 506.124, House Bill 3191 (2021)

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