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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 635
DEPARTMENT OF FISH AND WILDLIFE

FILED
10/14/2025 9:19 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Update Rules to Reflect Changes in Commercial Fees Approved by the Oregon Legislature

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 12/12/2025 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

CONTACT: Linda Spansel
503-947-6233
linda.d.spansel@odfw.oregon.gov

4034 Fairview Industrial Dr SE
Salem,OR 97302

Filed By:
Linda Spansel
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 12/12/2025
TIME: 8:00 AM - 5:00 PM
OFFICER: Michelle Tate

IN-PERSON HEARING DETAILS
ADDRESS: Oregon Department of Fish and Wildlife, 4034 Fairview Industrial Dr SE, Salem, OR 97302
SPECIAL INSTRUCTIONS:
This hearing will be conducted as a hybrid meeting, providing an opportunity to give testimony either in person or virtually. Additional information regarding participation will be posted on our website at www.dfw.state.or.us/agency/commission/minutes/. The meeting can be viewed at www.youtube.com/user/IEODFW. Any changes to the meeting format (to virtual only if emergency arises) will be posted to our website as soon as possible.

NEED FOR THE RULE(S)

This rule change is needed to align fees described in Oregon Administrative Rule with those adopted by the Oregon Legislature in HB 2342 and to simplify rule structure, avoid confusion, and reduce administrative burden.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

1. Oregon House Bill 2342, 2025 (Regular Session). Relating to fees concerning wildlife; and prescribing effective date. https://olis.oregonlegislature.gov/liz/2025R1/Downloads/MeasureDocument/HB2342/Enrolled.
2. Staff report prepared for the Oregon Fish and Wildlife Commission hearing on 12/12/2025, including the presentation and all provided materials.

A copy of the rules and the other documents relied upon for this rulemaking [the above document(s)] are available from the Oregon Department of Fish and Wildlife, Fish Division, 4034 Fairview Industrial Drive SE, Salem, Oregon 97302-1142. Contact Linda Spansel at 503-947-6233 or linda.d.spansel@odfw.oregon.gov to view by appointment between the hours of 8:00 a.m. and 4:00 p.m., on normal working days, Monday through Friday.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

The Department has solicited input from representatives of underrepresented communities likely to be affected on whether the proposed rule will have a fiscal impact on the community, the extent of the fiscal impact, and whether the rules will have significant impact on underrepresented communities. https://www.dfw.state.or.us/OARs/index.asp

FISCAL AND ECONOMIC IMPACT:

The rules are expected to have fiscal and economic impacts primarily affecting the Oregon Department of Fish and Wildlife (ODFW) and the commercial fishing sector. These impacts are further detailed in the following sections.

Fiscal and economic impacts discussed in this document pertain only to the proposed rules at the time of writing of this fiscal impact statement.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

(1) The proposed rules would be adopted to implement the commercial fishing permit and ad valorem fee adjustments detailed in enrolled HB 2342 (ODFW's fee bill, introduced and passed during the 2025 legislative session).

A. The primary state agency expected to be fiscally impacted by the rules is ODFW. ODFW receives revenues from the sale of commercial fishing licenses/permits and the assessment of ad valorem fees (percentage-based fees on the market value of commercially landed fish and shellfish). There is potential for the rules to indirectly impact the Oregon State Police (OSP) through the cost of commercial fishery enforcement efforts, though impacts are expected to be minimal as the rules do not request or imply additional OSP enforcement activities beyond current levels.

For ODFW, the commercial license and permit fee adjustments (detailed in Table 1 found in Attachment 2A) have been forecast to generate additional Commercial Fish Fund revenues amounting to $185,451 in the 2025-27 biennium, $325,460 in the 2027-29 biennium, and $431,227 in the 2029-31 biennium. The ad valorem fee increases (detailed in Table 2 found in Attachment 2A) have been forecast to generate additional Commercial Fish Fund revenues totaling $663,653 in the 2025-27 biennium, $1,175,630 in the 2027-29 biennium, and $1,580,958 in the 2029-31 biennium. As with any forecast, there may be errors in these projections, this error can occur due to other variable factors such as the impacts of future weather events, fish population levels, and harvester effort levels (which are in turn influenced by fish abundance, macroeconomic trends affecting market prices, and input costs). As revenues cannot be forecasted exactly, these projected revenues should be viewed as carefully constructed revenue estimates rather than revenue actuals.

While these commercial fee adjustments are expected to contribute towards improving ODFW's fiscal sustainability now and into the future, these price adjustments are not expected to result in an increase in the size of the agency. This stems from projections for trends in license sales to remain relatively flat in nature while operation costs have been on the rise. For example, incorporating these fee increases, ODFW's newest 2025-27 Legislatively Adopted Budget (LAB) has 37 fewer positions (equating to 22 fewer Full-Time Equivalent Positions) compared to the last 2023-25 LAB. ODFW is also making reductions to the Current Service Level through a $8.5 million decrease to various programs funded by Other Fund-License. This approach was taken to help lessen the impact to the license buying public. The implementation of HB 2342 (2025) will help ODFW to continue fulfilling the agency mission to, "To protect and enhance Oregon's fish and wildlife and their habitats for the use and enjoyment of present and future generations." Core to the agency mission and looking to the future, ODFW plans to continue to ensure responsible stewardship of

Oregon's resources and exercise sustainable fiscal practices.

B. No significant impacts are expected for units of local government. There could be a potential indirect impact on local governments that collect moorage fees from commercial fishing vessels, if these vessels make fewer trips into publicly owned marinas as a result of the amended rules. However, it is not anticipated that there would be any significant changes to local government agencies' operations or expenditures that would result from these amendments.

C. Members of the public who participate in Oregon's commercial fisheries are expected to be impacted by the rules. Commercial fisheries will be impacted by the adjusted license and permit fees, which generally follow a 12-4-4 model with 12% price increases in 2026 followed by 4% price increases in 2028 and 2030 (see Table 1 in attachment 2A for details). The abolishing of the three types of albacore tuna landing license is an exception to the fee increase model, though it is still expected to result in higher costs of participation in the commercial albacore fishery for most vessels. The three albacore tuna landing licenses were previously offered in lieu of Oregon's requirements for commercial fishers to hold commercial fishing, vessel, and crew licenses. The cost of the commercial fishing, vessel, and crew licenses cumulatively is greater than the cost of any of the albacore landing licenses, thus any commercial fishers who previously purchased only albacore landing licenses to participate in this fishery would now face higher costs of entry. There are no price increases for the Youth Commercial Fishing Licenses for Oregon residents who are 18 years old or younger. Resident and non-resident sardine, brine shrimp, coastwide clam, and south-coast clam commercial fishing licenses are also exempt from price adjustments. Overall, the license and permit fee adjustments are expected to increase costs of participation in Oregon's commercial fishing industry.

The ad valorem rate increases are also expected to increase costs for processors and fish buyers in Oregon. Ad valorem in Oregon consists of fees paid on fishing landings, calculated as a percentage of the market value of the species landed. As Table 2 in Attachment 2A shows, ad valorem fees for nearshore species (a subset of nearshore groundfish including black and blue rockfish) and for salmon/steelhead will not be increased. Currently, landing fee rates for these species are at 5% and 3.15% respectively, which is already relatively higher than the other species' rates will be after the three consecutive rate increases. The funds generated by ad valorem fees are used by ODFW through the Commercial Fish Fund to work on management and conservation of commercial fish populations, promoting sustainable fisheries. An increase to these ad valorem rates also can impact commercial fisheries bottom-lines, as less of the landed value is retained by the lander.

(2) Effect on Small Businesses:

(a) The primary types of businesses impacted by these fee adjustments are those that will now be paying higher amounts in ODFW license, permit, and ad valorem fees. We estimate the number of affected businesses using 2024 commercial fishing permit sales (the most recent year with a full year of data). The number of vessel permits sold in 2024 will be used to proxy for the total number of commercial fishing operations affected by the fee increases, though many commercial fishing businesses have operations that involve using a fleet of multiple vessels, so the exact number of businesses impacted in this category is likely lower than the vessel counts provided here.

In 2024, ODFW sold a total of 1,391 vessel permits. For larger vessels (over 50 feet), there were 177 resident permits and 160 non-resident permits. For smaller vessels (less than 50 feet) there were 741 resident permits and 313 non-resident permits.

Other commercial fishing businesses expected to be impacted by the increased fees include Fish Buyers, Limited Fish Sellers, Bait Dealers, Fish/Shellfish Canners, and Wholesale Fish Dealers. In 2024, a total of 145 Fish Buyer licenses, 101 Limited Fish Seller licenses (87 resident, 14 non-resident), 0 Fish/Shellfish Canner licenses, 46 Bait Dealer licenses,

and 169 Wholesale Fish Dealer licenses were sold.

It is also worth noting that abolishing the albacore tuna landing permits will increase costs for vessels participating in this fishery who were not already purchasing commercial fishing, vessel, and crew licenses each year. In 2024, ODFW sold 150 Albacore Tuna Landing (Licensed Vessel) Permits, 26 Resident Albacore Tuna Landing (Unlicensed Vessel) Permits, and 15 Non-resident Albacore Tuna Landing (Unlicensed Vessel) Permits.

Furthermore, if there is a decrease in the number of fishing trips made by commercial fishers in Oregon because of these fee increases, there is a potential for downstream impacts to businesses that provide goods and services to these fishing businesses and the individuals operating them. These businesses may include food and beverage stores, gasoline stations, fishing supply stores, general merchandise stores, private marinas, accommodation businesses, and restaurants. ODFW does not have data available from which to estimate the exact number of these businesses which may be indirectly impacted by the rules.

(b) No significant changes in these costs are expected for the small businesses subject to the rule.
(c) No significant changes in these costs are expected for the small businesses subject to the rule.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

ODFW held 3 stakeholder meetings attended by individuals representing Oregon fish buyers, commodity commissions, commercial fishers, and fish processors. These meetings took place during March-May, 2024. ODFW representatives also attended commodity commission meetings for the Oregon Trawl Commission, Oregon Dungeness Crab Commission, and Oregon Albacore Commission. Throughout this stakeholder engagement process, ODFW discussed and shared various options for proposed fee adjustments in order to solicit input from affected small businesses on the best way to structure the fee adjustments over time, as well as what amounts could be considered reasonable for fee increases.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

No. The 2025-27 budget development process included public outreach efforts to summarize why fee adjustments are needed at this time and to solicit feedback from the public regarding ODFW's budget and planned fee adjustments.

Additionally, ODFW fee adjustment measures were presented in the 2025 Legislative Session, through the measures HB 5009 (ODFW's budget bill) and HB 2342 (agency fee bill) and went through the legislative process. At the Commission hearing, public correspondence is accepted into the record as part of the rulemaking progress.

Table 1: Commercial License and Permit Fee Adjustments

Commercial License/Permit Fee Adjustments Through 2030				
Commercial License/Permit Name	**Current Fee**	**Proposed Fee 2026**	**Proposed Fee 2028**	**Proposed Fee 2030**
FISHING RESIDENT	$102	$114	$119	$124
FISHING NONRESIDENT	$152	$170	$177	$184
JUVENILE NONRESIDENT	$152	$170	$177	$184
BAIT FISHING RESIDENT	$127	$142	$148	$154
BAIT FISHING NONRESIDENT	$177	$198	$206	$214
ALBACORE TUNA LICENSED VESSEL*	$27	N/A	N/A	N/A
TUNA UNLICENSED VESSEL RESIDENT*	$252	N/A	N/A	N/A
TUNA UNLICENSED VESSEL NONRESIDENT*	$302	N/A	N/A	N/A
BOAT, Vessels < 50 ft RESIDENT	$352	$394	$410	$426
BOAT, Vessels < 50 ft NONRESIDENT	$402	$450	$468	$487
BOAT, Vessels > 50 ft RESIDENT	$402	$450	$468	$487
BOAT, Vessels > 50 ft NONRESIDENT	$452	$506	$526	$547
SHRIMP RESIDENT	$202	$226	$235	$244
SHRIMP NONRESIDENT	$252	$282	$293	$305
TROLL, SALMON RESIDENT	$127	$142	$148	$154
TROLL, SALMON NONRESIDENT	$177	$198	$206	$214
GILLNET, SALMON RESIDENT	$127	$142	$148	$154
GILLNET, SALMON NONRESIDENT	$177	$198	$206	$214
SCALLOP RESIDENT	$127	$142	$148	$154
SCALLOP NONRESIDENT	$177	$198	$206	$214
HERRING RESIDENT	$127	$142	$148	$154
HERRING NONRESIDENT	$177	$198	$206	$214
CRAB RESIDENT	$202	$226	$235	$244
CRAB NONRESIDENT	$252	$282	$293	$305
URCHIN RESIDENT	$127	$142	$148	$154
URCHIN NONRESIDENT	$177	$198	$206	$214
BLACK/BLUE RESIDENT	$127	$142	$148	$154
BLACK/BLUE NONRESIDENT	$177	$198	$206	$214
NEARSHORE RESIDENT	$127	$142	$148	$154
NEARSHORE NONRESIDENT	$177	$198	$206	$214
SHELLFISH HARVESTER RESIDENT	$127	$142	$148	$154
SHELLFISH HARVESTER NONRESIDENT	$177	$198	$206	$214
SINGLE DELIVERY RESIDENT	$127	$142	$148	$154
SINGLE DELIVERY NONRESIDENT	$177	$198	$206	$214
WHOLESALE DEALER	$502	$562	$584	$607
FISH CANNER	$502	$562	$584	$607
SHELLFISH CANNER	$502	$562	$584	$607
BAIT DEALER	$127	$142	$148	$154

FISH SELLER LIMITED RESIDENT	$102	$114	$119	$124
FISH SELLER LIMITED NONRESIDENT	$152	$170	$177	$184
FISH BUYER	$277	$310	$322	$335
LICENSE/PERMIT TRANSFER FEE	$100	$115	$115	$115
All fees listed include $2 agent fee.				
List includes only products affected by the fee adjustments.				
***Albacore Landing Licenses will not be issued after December 2025 - boat license and fishing/crew licenses will be required to commercially land tuna beginning January 1, 2026.**				

Table 2: Ad Valorem Rate Adjustments

Ad Valorem Fee Adjustments Through 2030				
Ad Valorem (AV) Rate Category	**Current AV Rate**	**AV Rate Effective 2026**	**AV Rate Effective 2028**	**AV Rate Effective 2030**
Crab	2.35%	2.63%	2.74%	2.85%
Groundfish	2.25%	2.52%	2.62%	2.72%
Sole/Flounder	2.25%	2.52%	2.62%	2.72%
Nearshore Species	5.00%	5.00%	5.00%	5.00%
Market Squid *(Other)*	2.30%	2.58%	2.68%	2.79%
Other	2.30%	2.58%	2.68%	2.79%
Sablefish	2.40%	2.69%	2.80%	2.91%
Salmon	3.15%	3.15%	3.15%	3.15%
Sardine	2.25%	2.52%	2.62%	2.72%
Shrimp	2.40%	2.69%	2.80%	2.91%
Albacore Tuna	1.09%	1.22%	1.27%	1.32%
Whiting	2.30%	2.58%	2.68%	2.79%

RULES PROPOSED:

635-004-0305, 635-004-0320, 635-004-0465, 635-004-0485, 635-004-0565, 635-004-0685, 635-005-0250, 635-005-0410, 635-005-0430, 635-005-0585, 635-005-0605, 635-005-0740, 635-005-0760, 635-005-0800, 635-005-0820, 635-006-1005, 635-006-1025, 635-006-1075

REPEAL: 635-004-0305

RULE SUMMARY: These amended rules will adopt commercial license, permit, and landing fee changes approved by the Oregon Legislature in HB 2342.

CHANGES TO RULE:

~~635-004-0305~~
~~Permit Fee~~
~~(1) The annual fee for a Resident Black Rockfish/Blue Rockfish/Nearshore Fishery Permit is $125.00 (plus a $2.00 license agent fee). See ORS 508.949.¶~~
~~(2) The annual fee for a Nonresident Black Rockfish/Blue Rockfish/Nearshore Fishery Permit is $175.00 (plus a $2.00 license agent fee). See ORS 508.949.¶~~
~~(3) A fee of $100.00 shall be charged for each transfer of participation rights under OAR 635-004-0330. See ORS 508.957.~~
~~Statutory/Other Authority: ORS 506.036, 506.109, 506.119, 506.129~~
~~Statutes/Other Implemented: ORS 506.109, 506.119, 508.949~~

AMEND: 635-004-0320

RULE SUMMARY: These amended rules will adopt commercial license, permit, and landing fee changes approved by the Oregon Legislature in HB 2342.

CHANGES TO RULE:

635-004-0320
Renewal of Permit ¶

(1) ~~Resident~~ Black Rockfish/Blue Rockfish/Nearshore Fishery Permits may be renewed the following year:¶
~~(a) By submitting a $125.00 (plus $2.00 license agent fee) and a complete application to the Department date-stamped or postmarked by January 1 of the year the permit is sought for renewal; and¶~~
~~(b) If the provisions specified in ORS 508.947 have been met.¶~~
~~(2) Nonresident Black Rockfish/Blue Rockfish/Nearshore Fishery Permits may be renewed the following year:¶~~
~~(a) By submitting a $175.00 (plus $2.00 license agent fee) and a complete application to the Department date-stamped or postmarked by January 1 of the year the permit is sought for renewal; and¶~~
~~(b) If the provisions specified in ORS 508.947 have been met~~ pursuant to ORS 508.947 and ORS 508.949.¶
(~~3~~2) An application for renewal of a Black Rockfish/Blue Rockfish/Nearshore Fishery Permit shall be considered complete if it is legible, has all information requested in the form, ~~and~~ is accompanied by the required fee in full, and is date-stamped or postmarked by January 1 of the year the permit is sought for renewal.¶
(4~~3~~) Permits issued under this rule expire on December 31 of each year. If an owner of a vessel with a permit does not submit a complete renewal application by January 1 of the permit year sought, the owner may renew the permit by submitting a complete renewal application after January 1 but before April 1 of the permit year sought if the owner pays a $150.00 late fee in addition to the fee required under section (1) ~~(a) or (2) (a)~~ of this rule.¶
(5~~4~~) It is the responsibility of the permittee to ensure that an application is complete and is filed in a timely manner. Failure of the Department to return an application for incompleteness or of an individual to receive a returned application may not be grounds for treating the application as having been filed in a timely and complete manner.
Statutory/Other Authority: ~~SB 247 (2015), ORS 506.036, 506.109, 506.119, 506.12~~ORS 506.11~~9~~
Statutes/Other Implemented: ORS 50~~6.109, 506.129, 506.306,~~8.947, ORS 508.945~~9~~

REPEAL: 635-004-0465

RULE SUMMARY: These amended rules will adopt commercial license, permit, and landing fee changes approved by the Oregon Legislature in HB 2342.

CHANGES TO RULE:

~~635-004-0465~~
~~Yaquina Bay Roe-Herring Permit Fee~~
~~(1) The annual fee for a Yaquina Bay Roe-Herring Permit is $125.00 (plus a $2.00 license agent fee) for resident applicants and $175.00 (plus a $2.00 license agent fee) for non-resident applicants. See ORS 508.765.¶~~
~~(2) A fee of $100.00 shall be charged for each transfer of participation rights under OAR 635-004-0495. See ORS 508.765.~~
~~Statutory/Other Authority: ORS 506.036, 506.109, 506.119, 506.129~~
~~Statutes/Other Implemented: ORS 506.109, 506.129, 508.765~~

AMEND: 635-004-0485

RULE SUMMARY: These amended rules will adopt commercial license, permit, and landing fee changes approved by the Oregon Legislature in HB 2342.

CHANGES TO RULE:

635-004-0485
Renewal of Yaquina Bay Roe-Herring Permit ¶

(1) Yaquina Bay Roe-Herring Permits may be renewed ~~by submission to the Department of a $125.00 fee (plus a $2.00 license agent fee) for resident applicants and $175.00 fee (plus a $2.00 license agent fee) for non-resident applicants and a complete application date-stamped or postmarked by December 31 of the year the permit is sought for renewal~~pursuant to ORS 508.765.¶
(2) An application for renewal of a Yaquina Bay Roe-Herring Permit shall be considered complete if it is legible, has all information requested in the form, ~~and~~ is accompanied by the required fee in full, and is date-stamped or postmarked by December 31 of the year the permit is sought for renewal. Any application which is not complete shall be returned, and unless it is thereafter resubmitted and deemed complete by December 31 of the permit year sought, the individual shall not be considered to have applied for renewal in a timely manner.¶
(3) It is the responsibility of the permittee to ensure that an application is complete and is filed in a timely manner. Failure of the Department to return an application for incompleteness or of an individual to receive a returned application may not be grounds for treating the application as having been filed in a timely and complete manner.
Statutory/Other Authority: ORS 506.~~036, 506.109, 506.119, 506.12~~119
Statutes/Other Implemented: ORS ~~506.109, 506.129,~~ 508.765

REPEAL: 635-004-0565

RULE SUMMARY: These amended rules will adopt commercial license, permit, and landing fee changes approved by the Oregon Legislature in HB 2342.

CHANGES TO RULE:

~~635-004-0565~~
~~Albacore Tuna License Required~~
~~(1) Vessels electing to take, land or possess only albacore tuna for commercial purposes in a calendar year in Oregon may purchase an Albacore Tuna Landing License in lieu of commercial fishing, crewmember, and boat licenses.¶~~
~~(a) Vessels which hold an Albacore Tuna Landing License are considered commercial fishing vessels for the purposes of U.S. Coast Guard Commercial Fishing Vessel Safety Requirements, law enforcement and fishery management.¶~~
~~(b) An Albacore Tuna Landing License is not required to take, land or possess albacore tuna for vessels licensed pursuant to ORS 508.260 and individuals licensed pursuant to ORS 508.235.¶~~
~~(2) Application for this license may be made and fee paid at time of first calendar year albacore tuna landing into Oregon or at any Department marine field office or Salem Headquarters office, on a Department license application form.¶~~
~~(3) Fees for an Albacore Tuna Landing License are as follows:¶~~
~~(a) Vessels that hold a valid commercial fishing license from another state and do not hold a valid commercial fishing license from Oregon: $25.00 (plus a $2.00 license agent fee).¶~~
~~(b) Resident vessels that do not hold a valid commercial fishing license from Oregon or another state: $250.00 (plus a $2.00 license agent fee).¶~~
~~(c) Nonresident vessels that do not hold a valid commercial fishing license from Oregon or another state and all foreign vessels: $300.00 (plus a $2.00 license agent fee).¶~~
~~(4) An Albacore Tuna Landing License allows unlimited landings of albacore tuna by the vessel during the calendar year of issuance.¶~~
~~(5) Albacore Tuna Landing Licenses are not transferable.~~
~~Statutory/Other Authority: ORS 506.036, 506.109, 506.119 & 506.129, Other SB 247 (2015)~~
~~Statutes/Other Implemented: ORS 506.109, 506.129~~

AMEND: 635-004-0685

RULE SUMMARY: These amended rules will adopt commercial license, permit, and landing fee changes approved by the Oregon Legislature in HB 2342.

CHANGES TO RULE:

635-004-0685
Commercial Shellfish and Intertidal Animal Permit Fee ¶

~~(1)~~ The annual fee for the Commercial Shellfish And Intertidal Animal Harvest Permit is ~~$125.00 (plus a $2.00 license agent fee) for Resident applicants. The annual fee for Nonresident applicants is $175.00 (plus a $2.00 license agent fee).¶~~
~~(2) Commercial Shellfish And Intertidal Animal Permits are only available at the Astoria, Newport and Charleston Department field offices~~set pursuant to ORS 508.116.
Statutory/Other Authority: ORS 506.~~036, 506.109, 506.119 & 506.129, Other SB 247 (2015)~~119
Statutes/Other Implemented: ORS 50~~6~~8.1~~09, 506.129~~16

AMEND: 635-005-0250

RULE SUMMARY: These amended rules will adopt commercial license, permit, and landing fee changes approved by the Oregon Legislature in HB 2342.

CHANGES TO RULE:

635-005-0250
Commercial Shellfish and Intertidal Animal Harvest Permit Fee ¶

~~(1)~~ The annual fee for the Commercial Shellfish And Intertidal Animal Harvest Permit is ~~$125.00 (plus a $2.00 license agent fee) for Resident applicants. The annual fee for Nonresident applicants is $175.00 (plus a $2.00 license agent fee).¶~~
~~(2) Commercial Shellfish And Intertidal Animal Harvest Permits are only available at the Astoria, Newport and Charleston Department field offices~~set pursuant to ORS 508.116.
Statutory/Other Authority: ORS 506.~~036, 506.109, 506.119 & 506.129, Other SB 247 (2015)~~119
Statutes/Other Implemented: ORS 506~~8~~.1~~09, 506.129~~16

REPEAL: 635-005-0410

RULE SUMMARY: These amended rules will adopt commercial license, permit, and landing fee changes approved by the Oregon Legislature in HB 2342.

CHANGES TO RULE:

~~635-005-0410~~
~~Ocean Dungeness Crab Permit Fee~~
~~(1) The annual fee for a Resident Ocean Dungeness Crab Permit is $200.00 (plus a $2.00 license agent fee) for resident applicants and $250.00 (plus a $2.00 license agent fee) for non-resident applicants. See ORS 508.941.¶~~
~~(2) A fee of $100.00 shall be charged for each transfer of participation rights under OAR 635-005-0440. See ORS 508.936.~~
~~Statutory/Other Authority: ORS 506.036, 506.109, 506.119 & 506.129, Other SB 247 (2015)~~
~~Statutes/Other Implemented: ORS 506.109, 506.129~~

AMEND: 635-005-0430

RULE SUMMARY: These amended rules will adopt commercial license, permit, and landing fee changes approved by the Oregon Legislature in HB 2342.

CHANGES TO RULE:

635-005-0430
Renewal of Limited Entry Ocean Dungeness Crab Permit ¶

(1) An individual who obtained a limited entry Ocean Dungeness Crab Permit may renew the permit pursuant to ORS 508.941 ~~by submitting to the Department a $200.00 (plus a $2.00 license agent fee) for resident applicants and a $250.00 fee (plus a $2.00 license agent fee) for non-resident applicants and a complete application date-stamped or postmarked by December 31 of the year for which renewal is sought~~.¶
(2) An application for renewal of an Ocean Dungeness Crab Permit shall be considered complete if it is legible, has all information requested in the form, ~~and~~ is accompanied by the required fee in full, and is date-stamped or postmarked by December 31 of the year the permit is sought for renewal. Any application which is not complete shall be returned, and unless it is thereafter resubmitted and deemed complete by December 31 of the permit year sought, the individual shall not be considered to have applied for renewal in a timely manner.¶
(3) It is the responsibility of the permittee to ensure that an application is complete and is filed in a timely manner. Failure of the Department to return an application for incompleteness or of an individual to receive a returned application may not be grounds for treating the application as having been filed in a timely and complete manner.¶
(4) A permit which is not renewed by December 31 lapses~~,~~ and shall not be renewed for subsequent years.
Statutory/Other Authority: ORS 506.~~036, 506.109, 506.119 & 506.129, Other SB 247 (2015)~~109
Statutes/Other Implemented: ORS 50~~6.109, 506.129~~8.921, ORS 508.941

REPEAL: 635-005-0585

RULE SUMMARY: These amended rules will adopt commercial license, permit, and landing fee changes approved by the Oregon Legislature in HB 2342.

CHANGES TO RULE:

~~635-005-0585~~
~~Pink Shrimp Permit Fee~~
~~(1) The annual fee for a Pink Shrimp Permit is $200.00 (plus a $2.00 license agent fee) for resident applicants and $250.00 (plus a $2.00 license agent fee) for non-resident applicants. See ORS 508.901.¶~~
~~(2) A fee of $100.00 shall be charged for each transfer of participation rights under OAR 635-005-0615. See ORS 508.907.~~
~~Statutory/Other Authority: ORS 506.036, 506.109, 506.119 & 506.129, Other SB 247 (2015)~~
~~Statutes/Other Implemented: ORS 506.109, 506.129~~

AMEND: 635-005-0605

RULE SUMMARY: These amended rules will adopt commercial license, permit, and landing fee changes approved by the Oregon Legislature in HB 2342.

CHANGES TO RULE:

635-005-0605
Renewal of Pink Shrimp Permit ¶

(1) Pink Shrimp Permits may be renewed the following year ~~by submitting to the Department a $200.00 fee (plus a $2.00 license agent fee) for resident applicants and a $250.00 fee (plus a $2.00 license agent fee) for non-resident applicants and a complete application date-stamped or postmarked by December 31 of the year the permit is sought for renewal~~pursuant to ORS 508.892 and ORS 508.901.¶
(2) An application for renewal of a Pink Shrimp Permit shall be considered complete if it is legible, has all information requested in the form, ~~and~~ is accompanied by the required fee in full, and is date-stamped or postmarked by December 31 of the year the permit is sought for renewal. Any application which is not complete shall be returned, and unless it is thereafter resubmitted and deemed complete by December 31 of the permit year sought, the individual shall not be considered to have applied for renewal in a timely manner.¶
(3) It is the responsibility of the permittee to ensure that an application is complete and is filed in a timely manner. Failure of the Department to return an application for incompleteness or of an individual to receive a returned application ~~shall~~may not be grounds for treating the application as having been filed in a timely and complete manner.
Statutory/Other Authority: ORS 506.~~036, 506.109, 506.119 & 506.129, Other SB 247 (2015)~~119
Statutes/Other Implemented: ORS 50~~6.109, 506.129~~8.892, ORS 508.901

REPEAL: 635-005-0740

RULE SUMMARY: These amended rules will adopt commercial license, permit, and landing fee changes approved by the Oregon Legislature in HB 2342.

CHANGES TO RULE:

~~635-005-0740~~
~~Weathervane Scallop Permit Fee~~
~~(1) The annual fee for a Weathervane Scallop Permit is $125.00 (plus a $2.00 license agent fee) for resident applicants and $175.00 (plus a $2.00 license agent fee) for non-resident applicants. See ORS 508.858.¶~~
~~(2) A fee of $100.00 shall be charged for each transfer of participation rights under OAR 635-005-0770. See ORS 508.864.~~
~~Statutory/Other Authority: ORS 506.036, 506.109, 506.119, 506.129~~
~~Statutes/Other Implemented: ORS 506.109, 506.129, 508.858~~

AMEND: 635-005-0760

RULE SUMMARY: These amended rules will adopt commercial license, permit, and landing fee changes approved by the Oregon Legislature in HB 2342.

CHANGES TO RULE:

635-005-0760
Renewal of Permit - Weathervane Scallop ¶

(1) Weathervane Scallop Permits may be renewed the following year ~~by submitting to the Department a $125.00 fee (plus a $2.00 license agent fee) for resident applicants and a $175.00 fee (plus a $2.00 license agent fee) for non-resident applicants and a complete application date-stamped or postmarked by December 31 of the year the permit is sought for renewal~~pursuant to ORS 508.849 and ORS 508.858.¶
(2) An application for renewal of a Weathervane Scallop Permit shall be considered complete if it is legible, has all information requested in the form, ~~and~~ is accompanied by the required fee in full, and is date-stamped or postmarked by December 31 of the year the permit is sought for renewal. Any application which is not complete shall be returned, and unless it is thereafter resubmitted and deemed complete by December 31 of the permit year sought, the individual shall not be considered to have applied for renewal in a timely manner.¶
(3) It is the responsibility of the permittee to ensure that an application is complete and is filed in a timely manner. Failure of the Department to return an application for incompleteness or of an individual to receive a returned application may not be grounds for treating the application as having been filed in a timely and complete manner.
Statutory/Other Authority: ORS 506.~~036, 506.109, 506.119, 506.12~~119
Statutes/Other Implemented: ORS 50~~6.109, 506.129,~~8.849, ORS 508.84~~9~~58

REPEAL: 635-005-0800

RULE SUMMARY: These amended rules will adopt commercial license, permit, and landing fee changes approved by the Oregon Legislature in HB 2342.

CHANGES TO RULE:

~~635-005-0800~~
~~Sea Urchin and Sea Cucumber Permit Fee~~
~~(1) The annual fee for a Sea Urchin and Sea Cucumber Permit is $125.00 (plus a $2.00 license agent fee) for resident applicants and $175.00 (plus a $2.00 license agent fee) for non-resident applicants. See ORS 508.760.¶~~
~~(2) A fee of $100.00 shall be charged for each transfer of participation rights under OAR 635-005-0830. See ORS 508.760.~~
~~Statutory/Other Authority: SB 247 (2015), ORS 506.036, 506.109, 506.119, 506.129~~
~~Statutes/Other Implemented: ORS 506.109, 506.129, 508.760~~

AMEND: 635-005-0820

RULE SUMMARY: These amended rules will adopt commercial license, permit, and landing fee changes approved by the Oregon Legislature in HB 2342.

CHANGES TO RULE:

635-005-0820
Renewal of Sea Urchin and Sea CucumberPermit ¶

(1) Sea Urchin and Sea Cucumber Permits may be renewed the following year:¶
(a) ~~By submitting to the Department a $125.00 fee (plus a $2.00 license agent fee) for resident applicants and a $175.00 fee (plus a $2.00 license agent fee) for non-resident applicants and a complete application date-stamped or postmarked by January 31 of the year for which renewal is sought~~Pursuant to ORS 508.760; and¶
(b) ~~T~~If the permittee ~~shall have~~ annually lawfully landed 5,000 pounds of sea urchins or 500 pounds of California sea cucumbers in Oregon. If a permittee obtained a permit later than January of the prior year (because the permit was obtained through the lottery, or as a result of the Commercial Fishery Permit Board actions or surrender of a permit by a permit holder), the permittee shall not be required to make the landing requirement by the following January. Instead, at the next renewal thereafter, the permittee shall be required to demonstrate that the landing requirement was fulfilled during the first full year (twelve-month period) in which the permit was held.¶
(2) An application for renewal of a Sea Urchin and Sea Cucumber Permit shall be considered complete if it is legible, has all information requested in the form, ~~and~~ is accompanied by the required fee in full, and is date-stamped or postmarked by January 31 of the year for which renewal is sought. Any application which is not complete shall be returned, and unless it is thereafter resubmitted and deemed complete by January 31 of the permit year sought, the individual shall not be considered to have applied for renewal in a timely manner.¶
(3) It is the responsibility of the permittee to ensure that an application is complete and is filed in a timely manner. Failure of the Department to return an application for incompleteness or of an individual to receive a returned application ~~shall~~may not be grounds for treating the application as having been filed in a timely and complete manner.
Statutory/Other Authority: ~~SB 247 (2015), ORS 506.036, 506.109, 506.119, 506.12~~ORS 506.119
Statutes/Other Implemented: ORS ~~506.109, 506.129,~~ 508.76~~2~~0

AMEND: 635-006-1005

RULE SUMMARY: These amended rules will adopt commercial license, permit, and landing fee changes approved by the Oregon Legislature in HB 2342.

CHANGES TO RULE:

635-006-1005
Introduction to Restricted Participation Systems Organization ¶

(1) In 2012, many commercial fishing regulations were reorganized, with significant parts of the Restricted Participation Systems regulations moved to their related fishery sections in division 4 and division 5 of the Fish & Wildlife Oregon Administrative Rules. As a result of the reorganization, only regulations regarding commercial gillnet and troll salmon fisheries remain in the Restricted Participation Systems section. These two fisheries are organized by topic. For each topic, the applicable law for each fishery is either set forth or, where the statute provides detail, the statute is cited.¶
(2) The topics covered by these rules are:¶
(a) Requirement for permit - 635-006-1015;¶
~~(b) Permit Fee - 635-006-1025~~ (Requirement for Permit);¶
(~~c~~b) Eligibility Requirements for a Permit - 635-006-1035 (Eligibility Requirements for a Permit);¶
(~~d~~c) Evidence of Eligibility - 635-006-1050 (Evidence of Limited Entry Permit Eligibility);¶
(~~e~~d) Revocation and Refusal to Issue Permits - 635-006-1060 (Revocation and Refusal to Issue Permits);¶
(~~f~~e) Review of Denials - 635-006-1065 (Review of Denials (Restricted Participation Systems));¶
(~~g~~f) Renewal of Permit - 635-006-1075 (Renewal of Limited Entry Permit);¶
(~~h~~g) Lottery for Certain Limited Entry Fisheries - 635-006-1085 (Lottery for Certain Limited Entry Fisheries);¶
(~~i~~h) Transferability of Permits - 635-006-1095 (Transferability of Permits);¶
(~~j~~i) Commercial Fishery Permit Boards - 635-006-1200 (Commercial Fishery Permit Boards);¶
(~~k~~j) Agency Representation by Employee - 635-006-1210 (Agency Representation by Employee).
Statutory/Other Authority: ORS 506.~~036, 506.109, 506.119, 506.12~~119
Statutes/Other Implemented: ORS 506.109, ORS 506.129

REPEAL: 635-006-1025

RULE SUMMARY: These amended rules will adopt commercial license, permit, and landing fee changes approved by the Oregon Legislature in HB 2342.

CHANGES TO RULE:

~~635-006-1025~~
~~Permit Fee~~
~~The annual fee to participate in limited entry fisheries is as follows:¶~~
~~(1) Gillnet salmon:¶~~
~~(a) The annual fee is $125.00 (plus a $2.00 license agent fee) for resident applicants and $175.00 (plus a $2.00 license agent fee) for non-resident applicants. See ORS 508.790, ORS 508.775 and Section 6, Chapter 512, Oregon Laws 1989.¶~~
~~(b) A fee of $100.00 shall be charged for each transfer of participation rights under this section.¶~~
~~(2) Troll salmon:¶~~
~~(a) The annual fee is $125.00 (plus a $2.00 license agent fee) for resident applicants and $175.00 (plus a $2.00 license agent fee) for non-resident applicants. See ORS 508.816, ORS 508.822 and Section 6, Chapter 512, Oregon Laws 1989.¶~~
~~(b) A fee of $100.00 shall be charged for each transfer of participation rights under this section.~~
~~Statutory/Other Authority: SB 247 (2015), ORS 506.036, 506.109, 506.119, 506.129~~
~~Statutes/Other Implemented: ORS 506.109, 506.129~~

AMEND: 635-006-1075

RULE SUMMARY: These amended rules will adopt commercial license, permit, and landing fee changes approved by the Oregon Legislature in HB 2342.

CHANGES TO RULE:

635-006-1075
Renewal of Limited Entry Permit ¶

(1) An individual who obtained a limited entry permit may renew the permit as follows:¶
(a) Gillnet salmon - ~~Permits may be renewed by submission to the Department of a $125.00 (plus a $2.00 license agent fee) for resident applicants and $175.00 (plus a $2.00 license agent fee) for non-resident applicants and a complete application, see ORS 508.781 and 508.790;¶~~
~~(b) Troll salmon - Permits may be renewed by submission to the Department of a $125.00 (plus a $2.00 license agent fee) for resident applicants and $175.00 (plus a $2.00 license agent fee) for non-resident applicants and a complete application, see~~pursuant to ORS 508.781 and 508.790;¶
(b) Troll salmon - pursuant to ORS 508.807 and 508.816.¶
(2) An application for renewal in any limited entry fishery shall be considered complete if it is legible, has all information requested in the form,~~and~~ is accompanied by the required fee in full, and is date-stamped or postmarked by December 31 of the year for which renewal is sought. Any application which is not complete shall be returned, and unless it is thereafter resubmitted and deemed complete by December 31 of the permit year sought, the individual shall not be considered to have applied for renewal in a timely manner.¶
(3) It is the responsibility of the permittee to ensure that an application is complete and is filed in a timely manner. Failure of the Department to return an application for incompleteness or of an individual to receive a returned application ~~shall~~may not be grounds for treating the application as having been filed in a timely and complete manner.
Statutory/Other Authority: ~~SB 247 (2015), ORS 506.036, 506.109, 506.119, 506.12~~ORS 506.119
Statutes/Other Implemented: ORS 50~~6.109, 506.129~~8.781, ORS 508.790, ORS 508.807, ORS 508.816