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House Committee on Agriculture & Natural Resources
Oregon State Legislature

MEASURE: 23 HB 4158
EXHIBIT: 23
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SUBMITTED BY: Curtis Martin

Co-Chair Clem, Co-Chair Esquivel and Members of the Committee:

On behalf of the Oregon Cattlemen's Association, thank you for the opportunity to provide testimony in support of HB 4158 with the -6 amendments. HB 4158-6 will allow the Oregon Department of Fish and Wildlife (ODF&W) to implement the Oregon Wolf Conservation and Management Plan (Wolf Management Plan) with no further expansion of the Department's authority yet remain in line with the intent of the plan.

In 2005, the Oregon Fish and Wildlife Commission adopted the Oregon Wolf Conservation and Management Plan, a consensus-driven plan that is based on the best available science and research driven practices for wolf conservation. In 2010, the plan was reviewed and re-adopted. In order to develop healthy wolf populations, conservation science counsels strongly against maintaining a wolf pack that chronically depredates on livestock. Thus, one of the key, science-based tenants of the Wolf Management Plan established ODF&W as the appropriate authority to manage depredation issues in our state. The authority for this rule, as understood and accepted by the groups involved in the development of the wolf management plan, representing conservation and industry representatives, state agencies, tribal entities, wildlife biology and the public, was long thought to derive from Oregon's wildlife statutes. The Oregon Court of Appeals recently indicated Oregon law may not provide such authority, after a lawsuit was filed by Cascadia Wild, Oregon Wild and the Center for Biological Diversity to halt the on-going implementation of the Wolf Management Plan.

HB 4158 with the -6 amendments will restore the Department's authority the intent in the Wolf Management Plan. The bill with amendments will affirm the accepted intent of the Wolf Management Plan that has been in operation for over six years. Authority for science-based wolf management will be restored to the on-the ground authority working in the best interests of both wildlife and livestock

The Wolf Plan was developed to meet the requirements of both the Oregon Endangered Species Act (OESA) and Oregon Wildlife Policy and is based on the understanding that ODF&W has legal authority to manage and conserve wolves through a variety of methods. The Wolf Management Plan specifically addressed the issues surrounding wolf depredation on livestock. The balance struck in the Plan understood the need to protect livestock producers from undue losses while also implementing science based management practices for a healthy wolf population. The Oregon Court of Appeals has preliminarily stated there is no such statutory authority to allow the ODF&W to manage an endangered species, even to conserve that species.

In October 2011, the Court of Appeals stopped the Department from taking any further action to manage problem wolves after the aforementioned lawsuit was filed. Chronic depredation has continued in spite of ranchers implementing the non-lethal methods ODF&W have recommended to distract these predators. Furthermore, these ranchers have pro-actively investigated and tried additional non-lethal measures suggested by other groups from Canada and the Northwest like the range rider and modified grazing

practices. Since the stay, seven more livestock deaths have been confirmed as wolf kills, with most probable deaths in the area of the Imnaha Wolf Pack including a mule.

In Wallowa County, there have been 22 cattle confirmed killed by wolves by ODF&W since May of 2010. These depredations are from thirteen different producers. Additionally there have been other cattle ruled as probable wolf kills and other losses associated with wolf/livestock interaction.

To reinstate that balance, Oregon needs to ensure that the authority to manage predator wolves is in the hands of Oregon's wildlife managers. Science confirms that the practices laid out in the Wolf Management Plan are the correct way to proceed in order to conserve the wolf population in a healthy way. Scientific research has demonstrated that it is necessary to remove wolves that rely on an unnatural food sources and that cause conflict in order to develop a healthy wolf population. In other states who have implemented wolf management practices, wolves have far exceeded their population expectations.

Opposing HB 4158 is opposing conservation science as well as the consensus that was reached on the Wolf Management Plan. The Oregon Cattlemen's Association seeks to restore the Wolf Management Plan by clarifying the intent that the ODF&W has the authority to implement this plan. This bill does not expand authority, it does not change the Oregon Endangered Species Act, it does not side step the Oregon Wolf Management Plan and it does not disregard the process and participants who created the plan. It allows our state to continue to help manage the needs of livestock, wildlife, and our economy through sound management practices based in research and science.

The court's stay has demonstrated that individual producers' "take permits" and non-lethal methods of deterring wolves are not enough to avoid chronic depredation. ODF&W must have the authority as written, understood and agreed to, in the Oregon Wolf Management Plan.

The Oregon Cattlemen's Association asks for your support of HB 4158 with the -6 amendments to restore the management tools provided in the Oregon Wolf Management Plan and allow the ODF&W to manage wildlife based on science and their expertise.

Thank you for your consideration and we are available to answer questions or provide further information.

Sincerely,

Curtis Martin, President

Rod Childers, Wolf Committee Chair

