

Date: February 8, 2017

To: The Honorable Michael Dembrow, Chair
Senate Committee on Environment and Natural Resources

Senate Bill 372
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Oregon Department of Fish and Wildlife

Good afternoon Chair Dembrow and members of the committee. The Oregon Department of Fish and Wildlife (Department) offers the following comments on Senate Bill 372.

Senate Bill 372 directs the Department to develop rules for issuing salvage permits for game meat of deer and elk that have been accidentally killed as a result of a vehicle collision, and to make permits available by January 1, 2019. The legislation would sunset January 1, 2024, and requires the Department to report to the 2023 Legislative Assembly.

There are approximately 20 states that allow the salvage of some big game animals such as deer for a variety of uses. The state of Washington began a road kill salvage program in July 2016. Pennsylvania leads the country in road kill with over 126,000 vehicle wildlife accidents in 2015. Many of those states allowing the salvage of deer, for example Pennsylvania and Montana, only allow salvage for consumption by humans. The majority of these states allow a permit to be acquired within 24 hours after salvage. To reduce the likelihood of poaching, states like Washington that allow road kill salvage do not allow the killing of injured animals. Nevertheless, Washington has had 5 road kill poaching cases so far since their law was enacted.

The Department is unaware of how many deer and elk are struck by vehicles annually in Oregon as people involved in these accidents, or that see road kill may report only to their insurance company, county road departments, or ODOT. We recognize that many of those road struck deer and elk are not edible. The Department's meat inspection certification course for field staff leads us to condemn road struck deer and elk unless they are struck only in the head and killed. SB 372 does remove liability to the Department and commission for recovery, possession, transport and consumption of salvaged deer and elk. The Department would likely consider a rule to require the recovery and transport of the entire carcass to help prevent traffic problems and reduce likelihood of other wildlife, such as scavengers being struck by vehicles.

There are several additional issues that the Department would have to address in rule to enact SB 372. Clarification will be needed either in statute or rule that salvage is for human consumption only. In addition, ORS 498.016 allows citizens of Oregon the right to kill animals that are helpless or incapacitated for humane purposes. The Department is

concerned that 498.016 will conflict with SB 372 and provide a loophole for people to shoot a deer or elk then strike it with a vehicle in an attempt to claim it as road injured and killed for humane purposes.

SB 372 does require citizens to promptly turn in antlers of deer and elk that are road struck which is important to reduce the temptation to strike a deer or elk for its antlers. Antlers of deer and elk can be sold in Oregon. The average nationwide price in 2016 ranged up to 12\$ per pound.

Finally, along the lower Columbia River, the Columbian white-tailed deer are federally protected and federal law prohibits their possession. The Department would have to create a rule prohibiting the salvage of any deer in Clatsop, Columbia and Multnomah counties. The state of Washington also prohibits salvage of deer in their lower Columbia counties.

The department appreciates that SB 372 sunsets at the end of 2023. We will be able to evaluate the costs and benefits of the program and report to the 2023 assembly.

The Department appreciates the opportunity to provide the Committee with these comments.

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