



Oregon

Kate Brown., Governor

Department of Fish and Wildlife

Office of the Director

4034 Fairview Industrial Drive SE

Salem, OR 97302

(503) 947-6044

FAX (503) 947-6042

odfw.com

Date: March 28, 2019

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



Senate Bill 301

Shannon Hurn, Deputy Director for Fish and Wildlife Programs

Dr. Doug Cottam, Wildlife Division Administrator

Mark Kirsch, Watershed Manager

Oregon Department of Fish and Wildlife

The Department appreciates the opportunity to discuss Senate Bill 301. The Department provided slides on the tools available to landowners to address elk damage issues. The Oregon Landowner Damage Program is a relatively new statewide tool.

The Oregon Landowner Damage Program was created by a collaborative effort by landowners and sportsmen's groups as tool to meet the intent of ORS 498.012 specific to elk damage. This program was initiated as a pilot program in SW Oregon and expanded to the entire state in 2013 with a sunset. Senate Bill 301 directs the Department to "consider elk overpopulation" without context to damage or area. Currently, Department staff use the Landowner Damage Program to assist landowners with presently occurring elk damage regardless of the elk population. It is unclear what the new language referring to overpopulation is intended to resolve.

Additionally, ORS 498.012 requires action to address damage, and nothing in the wildlife laws prevents a landowner from taking wildlife causing damage on their land, they are simply required to first obtain a permit from the Department.

Currently, the Department does not issue tags to address damage on private property unless the landowner or corporation management authorizes it. The use of the word person in SB 301, instead of landowner or lawful occupant or landowner's agent presents the opportunity for a person who complains about elk to obtain tags to take elk causing damage without the actual landowner's permission, or for a single shareholder of a corporation to do so without authorization from the business' management.

Thank you for the opportunity to comment.

CONTACTS:

Shannon Hurn, Deputy Director, (503) 947-6044