



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

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



Senate Bill 303

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 303. Senate Bill 303 would amend ORS 496.146 section 3 the Oregon Landowner Damage Program to allow the taking of elk that are causing damage on private property and authorize damage tag holders to hunt on adjacent private lands. We believe allowing damage to be addressed on lands other than where damage is occurring to be in direct conflict with ORS 498.012, which only authorizes a landowner to address damage on their property and not outside the boundaries of their property. If an adjacent landowner has damage, the Department can and does authorize damage tags for that landowner as well.

The use of the word “person” instead of landowner or lawful occupant or landowner’s agent presents the opportunity for a person to obtain tags to take elk causing damage without the actual landowner’s permission, or a single shareholder of a corporation without authorization from the business’ management. In addition, the bill does not limit the number of persons allowed to request tags for a property, it only limits each person to have five tags at any one time. Currently, the Department does not issue tags to address damage on private property unless the landowner or corporation management authorizes it. The Department has other tools to offer, such as controlled hunts and emergency hunts, that can address damage from elk that occur on multiple properties and elk that move from one property to another or to public land.

Tools to address large numbers of elk on private property exist and can resolve damage when requested and utilized by the landowner. Much of the difficulty in addressing elk damage has to do with different ownerships across the landscape. Some landowners are more tolerant of elk than others, some landowners do not allow hunting on their property, some charge access fees which reduce the availability of tag holders, and some landowners are unwilling to use the tools the Department has to offer. The Department believes the best way to resolve these difficulties is through collaboration among the affected landowners, the public and the Department.

CONTACTS:

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

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