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Testimony for Oregon Senate Committee on Natural Resources and Wildfire Recovery

March 1, 2021

Subject: Senate Bill 630 - Authorizes use of landowner damage tag to take elk on adjacent property with consent of owner of adjacent property.

My name is David Wiley. I live in Sublimity, Oregon. I am a native Oregonian and I care deeply about conserving our native wildlife for current and future generations, and I am a hunter and a fisherman.

To the point, SB 630 is a bad piece of legislation which attempts to subvert a needed wildlife management statute.

SB 630 attempts to modify ORS 498.158 which is intended address wildlife damage to a specific private property and in so doing creates numerous new issues both legal and administrative.

1. Takes away the right of the property owner to determine the uses of their property by authorizing a "person" other than the property owner to choose to allow the presence of wildlife (elk), to determine the acceptable level of wildlife impact, to allow hunting and who hunts.
2. The measure's language raises legal issues regarding tort liability.
3. As written the measure would increase the number of depredation tags by the expanded number of "persons" who would be authorized to request tags.
4. Each of the tags could be used on adjacent property with the adjacent landowner's permission. There is no assurance that the tags issued to address damage on one private parcel will result in taking an elk on the neighbors is the one causing damage.
5. The provisions of SB 630 combine to create the potential for depredation tags issued pursuant there for to hunt thousands of acres adjacent property. This situation might provide financial incentive to some.
6. It ignores the fact that ODFW has other tools to address the situation of damaging wildlife moving off premises of damage.
7. The bills language does not provide a definition of damage, nor does it address lease/rent agreement language regarding hunting rights.

SB 630 is a bad piece of legislation, creating more issues than it attempts to solve. Please remember, ORS 496.158 is a the wildlife damage statute and not a recreational hunting statute.

Please allow SB 630 die a quiet death in in committee.