

Southern Oregon Climate Action Now

SOCAN

Confronting Climate Change

<https://socan.eco>

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Reference HB3464

Chair Golden and members of the Senate Committee on Natural Resources:

I write as cofacilitator of Southern Oregon Climate Action Now (SOCAN), an organization of over 2,000 rural Southern Oregonians who are concerned about the climate crisis and urge statewide action to address it. The mission of SOCAN is to promote awareness and understanding of the science of global warming and its climate chaos consequences and, within the framework of social justice, stimulate individual and collective action to address it. Since rural Oregonians occupy the frontlines in experiencing the impact of the drought, shrinking snowpack, wildfires and extreme weather that the climate crisis imposes, we are strongly committed to statewide action that promotes both mitigation of and adaptation to the climate crisis.

I [previously testified](#) individually before the House Committee on Climate, Energy and Environment on HB3464. On this occasion, in recognition of the profound value of the beaver in providing adaptive resolution to the problem of water shortage and drought that the climate consequences of global warming are imposing across the state, I choose to testify here both as a biologist with many decades of university teaching and research in ecology, and on behalf of SOCAN. As I argued previously, and regrettably reiterate today, as written ORS 610.002 is biological nonsense. It states:

610.002 “Predatory animals” defined. *As used in this chapter, “predatory animal” or “predatory animals” includes feral swine as defined by State Department of Agriculture rule, coyotes, rabbits, rodents and birds that are or may be destructive to agricultural crops, products and activities, but excluding game birds and other birds determined by the State Fish and Wildlife Commission to be in need of protection.*

The problem with this statute is that it is simply wrong. Legislatures assuredly have the authority to write laws and statutes that they determine best serve the people of the state, but the integrity of legislators should preclude them from approving statements or establishing definitions that are patently false.

The term predation is well established in the biological arena as follows: “Predation is the ecological process by which energy is transferred from living animal to living animal based on the behavior of a predator that captures and kills a prey before eating it,” (Minelli 2008) and :” “Predation, the killing and eating of one animal by another...” (Texas, undated), and “An animal that hunts, kills, and eats other animals is called a predator. Examples of predators include tigers, snakes, and hawks. Herbivory, on the other hand, refers to animals that eat plant matter. Deer, mice, and most song birds are examples.” (Libretexts, undated). Despite the language of ORS 610.002, the basic principle is that animals that eat plants are herbivores while those that eat animals are carnivores/predators.

In addition to the ridiculous definition of beavers as predators, the defining or rodents and birds that eat, or may eat, crops as predators is equally wrong. As I testified previously, beavers are vegetarians, while the only rodent that is a predator is the grasshopper mouse, so called not because it looks like a grasshopper but because it eats grasshoppers.

It is understandable that Oregonians who have problems because animals are eating their crops or causing other damage may wish to control those animals, but defining those animals as predators is not the appropriate route. Like almost all rodents, beavers are herbivores. Since, all other rodents are also herbivores and birds that eat vegetable crops are herbivores, the current language of ORS 610.002 generate false definitions and thus does not reflect well on the Oregon legislature. Those promoting ORS 610.002 would be far more reasonable if they chose another route for defining which animals are eligible for control rather than mischaracterize them.

While we supported HB3464 as proposed in terms of providing the state mammal greater protection, we were disappointed that it did not correct the language of the statute. The version of HB3464 as amended and engrossed seems to have fallen ‘prey’ to the same problems that were inherent in ORS 610.002 regarding the treatment of beavers. This is because it now reinstates the ability of landowners to kill this mammal without much requirement for a demonstration of need, or an effort to circumvent that need by adopting alternative approaches to beaver management. During testimony in the House, Jakob Shockey, Executive Director of [the Beaver Coalition](#), spoke eloquently about [other options](#) for dealing with beaver problems than killing them.

For these reasons, if the goal is to protect our state mammal, we urge a return to the language of the introduced bill. However, if the goal is to correct the statute, language should be developed that contains definitions that are biologically correct.

Respectfully Submitted

A handwritten signature in cursive script that reads "Alan Journet".

Alan Journet

Sources:

Minelli A. 2008 Predation. Encyclopedia of Ecology.

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