

Agenda Item Summary

BACKGROUND

Wildlife damage control statutes were first designed to deal with agricultural and livestock damage in rural areas. The statutory authority granted to Oregon Department of Fish and Wildlife (Department) and to landowners was designed to protect agricultural and forest landowners while also protecting wildlife populations. However, increasing urban populations have led to dramatic increases in wildlife/ human conflicts in recent years.

Senate Bill 832 was passed by the 2003 Legislative Assembly to create the Task Force on Wildlife Control Activities. Its purpose was to make recommendations on the development of a system of licensing and regulating businesses conducting nuisance, damage or public health risk wildlife control operations.

In 2004, a seven member "Task Force" on Wildlife Control Activities was appointed by the Director of the Department. The Task Force was composed of three County Commissioners, two Wildlife Control Operators, a representative from the Humane Society of the United States and a representative from Audubon Society of Portland. The Task Force developed 16 recommendations which were presented to the Legislative Natural Resource Committee on September 30, 2004 and to the Oregon Fish and Wildlife Commission on January 7, 2005.

In April 2006, an eleven-member Wildlife Control Operators advisory group was formed to address the recommendations from the Task Force and to develop rules and guidelines for the wildlife control industry. The advisory group consisted of one County Commissioner, four Wildlife Control Operators and representatives from the Humane Society of the United States, Audubon Society of Portland, Oregon Chapter of the Wildlife Society, Metro, local law enforcement and two Department biologists. The Division 435 rules and guidelines developed by the advisory group were based on the Task Force recommendations with input from Department staff, Oregon State Police, and Oregon Department of Justice. In October 2006, Division 435 rules were adopted by the Oregon Fish and Wildlife Commission.

Since 2006, some of the rules have become outdated, others need to be updated to be consistent with subsequent OAR's or because of new standards that are more relevant to how Wildlife Control Operators conduct business, and to correct language used in the rules.

PUBLIC INVOLVEMENT

All current permitted Wildlife Control Operators were mailed a letter regarding the proposed revisions to the Wildlife Control Operators rules (See Attachment 4). Staff also consulted with a representative from Audubon Society of Portland.

ISSUE 1

Adoption of Revised Rules Pertaining to Wildlife Control Operators

ANALYSIS

Staff will propose adoption of revised Division 435 rules for Wildlife Control Operators that will update, clarify and strengthen language for this industry. If adopted these revisions will:

- Clarify permit and testing requirements
- Make handling certain species consistent with existing Department policies and guidelines
- Address permit cancellation and appeal process

OPTIONS

1. Approve Staff proposals
2. Amend Staff proposals
3. Reject Staff proposals

**STAFF
RECOMMENDATION**

Option 1

DRAFT MOTION: I move to amend OAR Chapter 635 Division 435 as proposed by staff.

EFFECTIVE DATE: Upon Filing