

# **ODFW DOG REGULATION PRESENTATION**

## **By Annette T. Pacheco**

### **INTRO:**

- ❖ Thank you for allowing me this time to provide testimony regarding the current rules, regulations, and statutes specific to dog training in the state of Oregon.
- ❖ My name is Annette Pacheco and I am a member of UVRC, which is the host club for the 2018 AKC Master National Annual Hunt Test Event in Douglas County this October.

### **FOR THOSE NOT FAMILIAR WITH WHAT IS A HUNT TEST:**

- ❖ **EVALUATION** of a dogs natural instincts and their handler's knowledge of the behavioral characteristics of that particular dog to perform in a **SIMULATED** hunting environment.
- ❖ **LOCAL HUNT TESTS** are typically 2-4 days usually at state/county owned wildlife refuge areas/parks.
- ❖ **USE DOMESTICALLY / FARM RAISED BIRDS FOR THE DOGS TO RETRIEVE.**
- ❖ **THE BIRDS USED ARE PROPELLED INTO THE AIR, EITHER BY HAND OR MECHANICAL DEVICE SO THEY LAND IN A SPECIFIC PRE DESIGNATED AREA.**
- ❖ **SOME LIVE BIRDS ARE USED AND THEN SHOT BY GUNNERS SO THEY LAND WITHIN A PREDESIGNATED AREA.**

### **WHAT IS THE AKC MASTER NATIONAL**

- ❖ **SAME AS LOCAL HUNT TEST, BUT ON MUCH GRANDER SCALE OF PARTICIPANTS, DURATION AND COMPLEXITY.**

- ❖ ***FIRST AND FOREMOST, it is a PARTICIPATORY EVENT by those who pay entry fees to have their dog evaluated!***
  - ALL ENTRANTS MUST also sign up AND VOLUNTEER to work several 4 hour shifts throughout the event.
  - All entries are equally divided into manageable groups, 100 + PER GROUP.
  - All Groups run simultaneously.
  - SINGLE ELIMINATION. Like a TOURNAMENT, Each handler/dog team must SUCCESSFULLY COMPLETE (scored) a series BEFORE they are invited to participate in the next series.
  - EVENT ELIMINATIONS result in a SUCCESS RATE of ONLY 33% of all who entered on average.
  - THIS YEARS EVENT BEING HELD ON PRIVATE PROPERTY.
  
- ❖ HUGE ECONOMIC IMPACTS on community hosting:
  - 2009: ALABAMA the chamber of commerce reported the event brought in over ***1 million of DIRECT SPENDING*** into the community.
  - 2015: CHERAW SC the chamber of commerce reported the event brought in ***6.2 million*** into the community. STATE PARK GROUNDS USED.
  
- ❖ **CURRENTLY the shooting of a released gamebird on ANY PROPERTY requires compliance with Oregon Hunting License regulations.**

**HIGHLY IMPRACTICAL FOR A NATIONAL EVENT LIKE THE AKC MASTER NATIONAL TO BE IN COMPLIANCE. IT IS A SET UP FOR FAILURE.**

- 1. MNRC USES AN INFORMAL GUNNERS GUILD: GUNNERS FROM PARTICIPANTS ACROSS THE NATION.**
- 2. MEETING WITH KELLY WALTON AND KEVIN BLAKELY**
  - a. **BLAKELY STATED “NEVER DISCUSSED IN DEPTH THIS LARGE OF AN EVENT”** when amending regulations in 2011.

**SUGGESTIONS FOR RESOLUTION: THE COMMISSION DIRECT ODFW TO RECONSIDER THE APPLICATION OF CURRENT STATUTES TO LARGE, MULTI DAY NATIONAL EVENTS.**

**WITH**

**IMMEDIATE ATTENTION FOCUSED ON THE NEED and COSTS TO LICENSE EVENT GUNNERS.**

**CLOSING**

AGAIN, I THANK YOU FOR YOUR TIME. THIS ISSUE IS VERY CONVOLUTED AND CONTAINS CONFLICTS WHICH I AM CONFIDENT CAN BE POSITIVELY RESOLVED WITH BEST INTEREST OF ALL INVOLVED PARTIES.

# ODFW DOG REGULATION DETAILED OUTLINE

## INTRO:

- ❖ Thank you for allowing me this time to provide testimony regarding the current rules, regulations, and statutes specific to dog training in the state of Oregon.
- ❖ My name is Annette Pacheco and I am a member of UVRC, which is the host club for the 2018 AKC Master National Annual Hunt Test Event in Douglas County this October.

## PURPOSE:

- ❖ The purpose for this testimony is to bring attention to the relevance of current rules, regulations and statutes to the ever growing HUNT TEST activity so many of us have embraced as a hobby. More specifically how it impacts Nationally held Hunt Tests in OREGON.

## WHAT IS A HUNT TEST:

- ❖ EVALUATION of a dogs natural instincts and their handler's knowledge of the behavioral characteristics of that particular dog to perform in a SIMULATED hunting environment with regards to retrieving, memory, perseverance through natural elements and trainability elements.
  - Farm raised pheasants/ducks are used for HUNT TESTS
  - SRS uses DOKENS, simulated waterfowl/upland birds
  - HRC uses duck but no live birds during event.
- ❖ HUNT TESTS WERE DEVELOPED originally by NAHRA to keep their dogs in shape and skills sharp in the off-season of hunting. All amateurs and weekend hunters. Those OBJECTIVES remain the same, however now AKC and UKC have become the lead organizations for events. HRC and SRS also evolving.
- ❖ DIFFERS FROM FIELD TRIALS in that Hunt Tests evaluate the skills of the dog team to a performance standard set by

AKC. Field Trial teams compete against each other in precision, time, and distance stamina/performance.

- ❖ With the GROWTH in popularity of this weekend HOBBY the REVENUE bug came into play and now the weekend HOBBY includes DOG TRAINING PROFESSIONAL BUSINESS OWNERS who try to make a living training dogs to be evaluated, titled as one of the best in their category.
- ❖ This GROWTH also served as a stimulus for governments to implement rules, regulations and statutes regarding where, when, and how these EVENTS are to take place.
- ❖ HUNT TESTS are typically 2-4 day events held over the weekends (holiday weekends), usually held at state/county owned wildlife refuge areas/parks. Usual number of entries are 100-200 dogs in Junior, Senior and Master levels combined.

#### NATIONAL HUNT TESTS:

- ❖ SRS, GRAND HRC, AKC MASTER NATIONAL, AKC MASTER AMATEUR, UKC NATIONAL in Canada to name a few. NARHA and NAVDA also hold national events as does the FIELD TRIAL TEST COMMUNITY.
- ❖ Specific to MNRC, USA is divided into 4 regions and Hunt Test rotates annually to different region beginning east and heading west.
- ❖ This year, the MASTER NATIONAL HUNT TEST is coming to WESTERN REGION. Roseburg/Glide areas of OREGON.
- ❖ MNRC developed specifically to hold an annual HUNT TEST within the contiguous US and Alaska.
- ❖ Been in existence 27 years and governed by a volunteer Board of Directors.
- ❖ CONSIDERED The OLYMPICS of AKC HUNT TESTS.

## WHAT IS THE AKC MASTER NATIONAL

- ❖ ***FIRST AND FOREMOST, it is a PARTICIPATORY EVENT by those who pay entry fees to have their dog evaluated!***
  - Meaning I, when I enter my dog and myself, **MUST** also sign up to work several 4 hour shifts throughout the event; Hospitality, Pop n Throw stations, Blind Planter person, Bird Steward, Traffic Management, Safety Coordinator, and/or GUNNER.
  - The **EVENT** only happens with volunteered workers from the community and the entered participants.
- ❖ It is an **EVALUATION** of a dog and its handler in a simulated hunting environment to test the abilities of the handler/dog team to make retrieves of **DOMESTICALLY RAISED** game birds from the field with precision.
  - All entries are equally divided into manageable groups.
  - Each Group must complete 6 series to be successful.
  - Each series is a **SIMULATION** of a hunting scenario, sometimes using live **DOMESTICALLY RAISED** or **FARM RAISED** birds that are required to be shot by a near **EXPERT GUNNER**, over the age of 21.
  - All Groups run simultaneously.
  - Each handler/dog team must **SUCCESSFULLY COMPLETE** (scored) a series **BEFORE** they are invited to participate in the next series.
  - **SINGLE ELIMINATION.**
  - **NOT ALL DOGS/HANDLERS COMPLETE THE SAME EXACT SERIES, BUT DO COMPLETE LIKE SERIES.**

- PRO AND AMATEUR handlers in the event.
- Average SUCCESS RATE for dog/handler teams is ONLY 33% of all who entered.

## WHY ROSEBURG?

- ❖ ROSEBURG because infrastructure to support event.
  - HOTELS, RESTAURANTS, SERVICES, VETS, VEHICLE MAINTENANCE, CONVENIENCES
  - PRIVATE PROPERTY because OR WILDLIFE does not have grounds large enough to support the event.
  - Judges arrive a week early to set up the test scenarios. A few days of meetings/banquets follow and then the 9 days of EVALUTATIONS take place, totalling nearly 16-17 days total MNRC reps, VIP's, participants and their families are VISITING the SW OREGON area.
  - MNRC expect 600 entries this year.
  - Nearly 2500 farm raised birds are expected to be used for the event.
- ❖ ECONOMIC IMPACTS on community hosting:
  - 2009: ALABAMA the chamber of commerce reported the event brought in over **1 million of DIRECT SPENDING** into the community.
  - 2010 & 2014: CORNING, CA (second time there) Significant impact on the community DESPITE being held on TRIBAL GROUNDS and HOSTED BY TRIBAL COORPORATION.
  - 2015: CHERAW SC the chamber of commerce reported the event brought in **6.2 million** into the community. STATE PARK GROUNDS USED.

- 2016: ST LOUIS no report available. BUSCH CONSERVATION GROUNDS USED.
- 2017 PALESTINE TX: *all hotels full*, PRIVATE HUNT CLUB GROUNDS USED.

**I PROVIDE YOU WITH THIS INSIGHT BECAUSE CURRENT OREGON RULES AND STATUTES DO NOT ADDRESS THIS TYPE OF LARGE NATIONAL EVENT. THESE NATIONAL EVENTS ARE SUBSTANTIALLY DIFFERENT AND LOGISTICALLY MORE INTENSE AND DIVERSE THAN THE AVERAGE WEEKEND HUNT TEST.**

#### **WHY?**

- ❖ **NATIONAL EVENTS ARE LONGER, TAKE GREATER TIME IN PLANNING, AND LOGISTICALLY CAN BE QUITE CUMBERSOME. THEY NEED COMMUNITY SUPPORT AND ASSISTANCE TO BE SUCCESSFUL**

#### **CURRENT OREGON STATUTES:**

- ❖ ORS 496.004 (10) defines HUNT as “means to take or attempt to take any wildlife by means involving the use of a weapon or with the assistance of any mammal or bird.”
- ❖ ORS 496.004 (16) defines TAKE as “means to kill or obtain possession or control of any wildlife.”
- ❖ DOMESTICALLY RAISED OR FARM RAISED PHEASANTS AND/OR DUCKS ARE CONSIDERED WILDLIFE GAMEBIRDS BY ODFW.
- ❖ PERMIT required for releasing gamebirds for dog training, even if training on PRIVATE property. (FREE OF CHARGE) (Div 46 635-46-00-40 defines Hunting dog training...on **ANY Land**, the use of wildlife (broader than taking of gamebirds)
- ❖ **The shooting of a released gamebird requires compliance with Oregon Hunting License regulations.**



- ❖ **EVENT PERMIT** required for hosting an event for the evaluation of a dog team's ability to meet the standard. (FEE REQUIRED)

**IN 2011, WHEN THESE REGULATIONS, RULES, AND STATUTES WERE AUTHORED, LENGTHY DISCUSSIONS AND INPUT FROM HUNT TEST HOBBYISTS WAS CONDUCTED.**

**IT IS NOT MY INTENTION TO REVISIT THOSE DEBATED SUBJECTS AT THIS TIME.....HOWEVER I DO BELIEVE AMENDMENTS NEED TO BE MADE.**

**MY INTENTION TODAY IS TO BRING FORWARD THE IMPRACTICALITY OF A NATIONAL EVENT LIKE THE AKC MARSTER NATIONAL meeting the OREGON HUNTING LICENSE requirements for the event.**

- 1. INFORMAL GUILD:** Because it is a participatory event, over the past 27 years of organizing the event members of the MNRC Board know a core group of **HIGHLY PROFICIENT** Gunners who also are involved in this **HOBBY**.
  - a. There are roughly 30 available for each event, regardless which region of the USA the event is being held.
- 2. LOCALLY RECRUITED GUNNERS:** The **HOST CLUB**, (UVRC) is responsible for recruiting additional **LOCALLY LICENSED GUNNERS** to ensure the event works proficiently and efficiently while in compliance with state statutes.
- 3. SCHEDULING OF GUNNERS FOR EACH GROUP:** An assigned **GUNNER CAPTAIN** schedules the gunners for the event for each group, for each shift (3 shifts per day).
  - a. **WEEKEND:** Usually local gunners used since they are off work and usually **DO NOT HAVE A DOG IN THE EVENT**.

- b. WEEKDAYS: Rely on participatory help to meet the GUNNERS requirements of each group. INVOLVES NON RESIDENT volunteers.
- c. SINGLE ELIMINATION presents a *logistical void* when a scheduled volunteered worker, of any shift, leaves the event because they have been eliminated.

*HEREIN LIES THE LOGISTICAL NIGHTMARE WHEN THE ELIMINATED DOG TEAM is a GUNNER.*

### **MEETING WITH KELLY WALTON AND KEVIN BLAKELY**

- ❖ Conference Call with Ms. Walton and Mr. Blakely described the above events. During conversation **Mr. Blakely ACKNOWLEDGED he discussed these proposed rules, regulations, and statutes with members of the dog trial groups, yet “NEVER DISCUSSED IN DEPTH THIS LARGE OF AN EVENT”.**

Blakely Recommendation to satisfy the Hunting Licensing Requirement was:

1. to acquire the license for gunners the day before the event at the local ODFW branch.
  - i. Pros: If its during a weekday, fine.
  - ii. Cons: If during weekend, not possible except via internet.
2. If a gunner and dog have been eliminated, AGAIN use the internet to PRINT OUT new license and/or return to ODFW branch to acquire license.

**THIS IS WHERE IT BECOMES IMPRACTICAL AND UNREASONABLE. WHY?**

**EVENT HELD IN RURAL AREA , I.T. AND CELL NON EXIST**

THE MN is so time sensitive that during set up week each series is timed so that it does not exceed 7 minutes. After 27 years of conducting annual hunt

tests, the 7 minute series for 5 groups of dogs (135 per group) allows for the completion of the event in 8-9 days.

**BASED UPON THE LOCATION OF THIS YEARS EVENT**, a VOID in an already LICENSED GUNNER (3 day NR license) could bring about a 45 minute delay in the running of the event for the affected group **while someone transports the new GUNNER to odfw and pay for a SECOND LICENSE and return to the event to resume.**

As the event continues, the list of eligible GUNNERS dwindles significantly. The ability of the event to continue becomes compromised each time we have a VOLUNTEERED WORKER in any capacity leave the event early. GUNNERS SPECIFICALLY compromise COMPLIANCE with OREGON statutes.

#### **HOW HAS THIS BEEN HANDLED IN THE PAST EVENTS:**

**2010/1014:** HELD ON TRIBAL GROUNDS, SOVERIGN NATION.  
CA DFW regulations did not apply.

**2015:** CHERAW S.C. (Cooper Black State Park) the Event Permit (\$5.00) was all inclusive for transported birds, gunner licensing (Res or Non Res).

**2016:** ST LOUIS Bush Conservation Grounds.....GUNNER LICENSING FEES waived.

**2017:** PALESTINE TX HELD on Private Grounds.....TX waived GUNNERS FEES.

#### **SUGGESTIONS FOR RESOLUTION:**

1. WAIVE GUNNERS FEES FOR EVENT until amendments can be completed to existing rules, regs, statutes for these large national events.
2. APPLY a FLAT RATE FEE for Non Res. GUNNERS for entire event.

- a. Current fees for 9 days for one NR Gunner is \$210.00 With purchase of annual pass NR & Validations. **(GOOD FOR CALENDAR YEAR. We are in last quarter of Calendar year).** \$52.50 per quarter; 12 MONTHS at \$17.50 per month; 52 WEEKS at \$4.04 per week; 365 days at .57
- b. **9 days= \$5.17 per gunner. 30 NR gunners @\$5.17 day =\$153.90**
- c. Three 3 day NR license with validations **\$136.50 (more than ½ cost of annual NR)**

**RECOMMENDATION:** FOR LARGE EVENTS LASTING LONGER THAN 5 CALENDAR DAYS, NON-RESIDENT GUNNERS, IF NECESSARY, BE LICENSED TO MEET HUNTING STATUTES AT A REASONABLE PRO-RATED RATE AGREED UPON BY ODFW AND THE ORGANIZING GROUP.

THE EVENT PERMIT FORM (IF UTILIZED) BE AMENDED TO INCLUDE THE NUMBER OF NR GUNNERS ANTICIPATED TO BE USED SHALL BE LISTED ON THE EVENT PERMIT, THE PRO RATED FEE PER NR GUNNER SHALL BE LISTED, AND THE TOTAL FEE DUE TO ODFW SHALL BE LISTED AND COLLECTED IN ONE LUMP SUM, NON REIMBURSIBLE PAYMENT (EXCEPT IN CANCELLATION OF THE EVENT).

## **CLOSING**

AGAIN, I THANK YOU FOR YOUR TIME. THIS ISSUE IS VERY CONVOLUTED AND CONTAINS CONFLICTS WHICH I AM CONFIDENT CAN BE RESOLVED.

IN MY PREVIOUS DISCUSSIONS WITH MS. WALTON AND MR. BLAKELY, MR. BLAKELY ADMITTED THAT IN THE TIME WHEN THESE RULES, REGULATIONS, AND STATUTES WERE BEING AUTHORED, "THEY NEVER DISCUSSED IN DEPTH THIS LARGE OF AN EVENT".

I MUST EMPHASIZE THIS LARGE EVENT, AND MANY OTHERS LIKE IT, LEAVE A POSITIVE IMPACT ON THE COMMUNITIES THEY INCLUDE; ECONOMICALLY AND SOCIALLY. WE

REALISTICALLY EXPECT TO HAVE A SIGNIFICANT ECONOMIC IMPACT AND LEAVE A POSITIVE FOOTPRINT ON THE ROSEBURG AND GLIDE COMMUNITIES; JUST AS THE EVENT DID IN 2002 WHEN IT WAS HELD NEAR BEND OREGON.

LASTLY, A NEW NATIONALLY RECOGNIZED HUNT TEST RETRIEVER CLUB, THE MASTER AMATEUR RETRIEVER CLUB, IS WATCHING HOW THIS EVENT TAKES PLACE TO DETERMINE IF OREGON IS SOMEPLACE THEY WOULD LIKE TO HOLD AN EVENT. I AM CERTAIN WE CAN WORK TOGETHER THROUGH A PRODUCTIVE PARTNERSHIP TO ADDRESS SOME OF THESE ISSUES PRESENTED.....NOT ONLY THIS YEAR WITH THE MASTER NATIONAL EVENT IN ROSEBURG, BUT FOR FUTURE EVENTS AS WELL.

I AM HOPEFUL THE COMMISSION WILL CONSIDER SOME OF THE INFORMATION PRESENTED, REVISIT THE PROVISIONS PUT FORTH IN 2011 AND AMEND THEM ACCORDINGLY TO MEET WITH THE GROWING HOBBY OF HUNT TEST EVALUATIONS.