



Testimony on House Bills 3075 and 3167 (Predator Damage Control Districts)
House Committee on Agriculture and Natural Resources

April 6, 2021

Chair Witt, Vice Chairs Hudson and Breese-Iverson, and Members of the Committee:

Based on currently available information, the undersigned organizations **oppose House Bills 3075 and 3167** in their current form.

HBs 3075 and 3167 would eliminate the sunset (currently January 2, 2022) on “predator damage control districts,” which were authorized by House Bill 3188 (2015). The districts are governmental entities that raise money “for the purpose of funding county services to prevent, reduce and mitigate damage to property from predatory animals.” (Section 2.) “Predatory animals,” in this case, include bears, bobcats, red foxes, cougars, “fur-bearing mammals,” gray wolves, coyotes, rabbits and “rodents.” Section 1(6), chapter 650, Oregon Laws 2015; ORS 497.655; ORS 610.002.

Our understanding is that two predator damage control districts currently exist – one in Coos County and one in Douglas County – and that the counties use money raised by the districts primarily to pay for services from USDA Wildlife Services. We do not currently have information on how much money the districts have raised and spent, what animals they have targeted, the extent to which the money has been spent on lethal v. non-lethal measures, and/or the extent to which expenditures can be reliably correlated to reduced wildlife damage. We expect such information to be provided by proponents of the bill since they are asking for the temporary pilot program to be made permanent.

Based on current information, we oppose both bills because:

1. The experience of two districts over six years, and information in the record thus far, are not enough to justify continuing the program in perpetuity. If the authorization for such districts is continued, it should include another sunset.
2. Our understanding from available information is that the districts primarily fund killing of wildlife believed to be damaging property and/or threatening farm animals. We suggest the authorizing legislation make clear that the money may be used for non-lethal measures, and that the legislation also encourage counties to implement non-lethal measures before resorting to lethal ones. Because the districts are government entities that raise money for other government entities to spend, the program should reflect the public interest in minimizing the killing of Oregon’s wildlife. As additional information on the potential for reducing damage and conflict with non-lethal measures, attached is a report from a Benton County program that emphasizes such measures.

If HBs 3075 and 3167 nevertheless move forward, **we suggest amendments** to: (a) include another sunset in six years; and (b) make clear that money raised by the districts may be spent on non-lethal measures and that such measures should be prioritized. Attached is a markup of the bill with suggested language for these amendments.

Thank you for considering our comments.

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Agriculture and Wildlife Protection Program Summary Report 2017 - 2019



Livestock guardian puppy and sheep | Louise Liebenberg photo | www.grazerie.com



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1. Executive Summary

In June 2017, the Benton County Budget Committee approved \$45,000 for the Agriculture and Wildlife Protection Program (AWPP), a two-year pilot program to encourage the proactive use of non-lethal animal damage deterrents to prevent conflicts with wildlife.

This 2017-2019 program report summarizes (1) educational outreach activities, (2) the reimbursement grant program, (3) the effectiveness of non-lethal wildlife deterrents used by program participants, and (4) the level of satisfaction with the Agriculture and Wildlife Protection Program.

Educational outreach activities included a website, two press releases, two magazine articles, a public presentation, a workshop, a conference session, and three tabling events. The educational outreach program also contributed \$3,000 toward the [installation](#) of a beaver [pond leveler](#) on Dunawi Creek. The device was installed as a demonstration project and to help reduce flooding of 53rd Street near the Willamette Pacific Railroad overpass.

The AWPP awarded \$35,363 in reimbursement grant funds to eight Benton County farms for the purchase of wildlife-friendly animal damage deterrents to prevent conflicts with wildlife. Awards were made based upon the applicant's philosophy of animal damage control and the likely effectiveness of the proposed non-lethal deterrents project plan. Amounts awarded ranged from \$2,621 to the maximum allowed of \$5,000.

Four of the farms were located in Philomath, two in Corvallis, one in Alsea, and one in Blodgett. The farms ranged in size from 4 to 102 acres. Farmers had experience ranging from 0 to 15 years. Four of the farms had used non-selective lethal animal damage control methods in previous years. All grant recipients agreed to not use traps, snares, calling-and-shooting, or poisons for the next three years as part of the grant application process.

Grant recipients proposed to protect a variety of livestock and crops. Sheep and goats were the most common livestock/crop proposed for protection. Expected wildlife conflict species included carnivores, herbivores, domestic dogs, birds of prey, wildfowl, and songbirds. Coyotes and cougars were the most common expected wildlife conflict species identified by grant recipients.

Two farms awarded grants did not submit reimbursement claim forms or required year-end project evaluation reports and did not respond to inquiries from county officials. After approximately one year, all six farms that participated in the grant program experienced little or no crop or livestock losses using non-lethal deterrents. Record keeping forms indicate that cougars, coyotes, and other conflict species were often present during the reporting period. The four farms that had previously used lethal animal damage control and experienced crop and livestock losses in previous years experienced no losses when using only non-lethal deterrents. Additional yearly reports will be necessary to determine the long term success of the program.

Grant participants used a wide variety of non-lethal wildlife deterrents including livestock guardian animals, electrified fencing, electronic scare devices, and protective housing to protect their crops and livestock. All grant participants were highly satisfied (94%) or satisfied (6%) with the non-lethal methods and tools they selected. Program participants were also highly satisfied (72%) or satisfied (28%) with the individual Agriculture and Wildlife Protection Program elements they made use of.

Overall, program participants were highly satisfied (83%) or satisfied (17%) with the Agriculture and Wildlife Protection Program and all participants said they would apply again for a wildlife deterrents grant and would recommend the grant program to other farmers.

2. Introduction

In June 2017, the Benton County Budget Committee approved \$45,000 for the Agriculture and Wildlife Protection Program (AWPP), a two-year pilot program to encourage the proactive use of non-lethal animal damage deterrents in an effort to foster the coexistence of agriculture and wildlife in Benton County.

The AWPP funds (1) educational outreach and expert consultation services and (2) a merit-based, cost share, reimbursement grant program. Agricultural operations in Benton County that wish to prevent conflicts with wildlife may qualify for reimbursement grant funds for the purchase of proactive non-lethal wildlife deterrents to protect livestock and crops.

This community-based program is funded by Benton County and managed by county officials in partnership with citizen volunteers and representatives from local agricultural and wildlife organizations.

Education and consultation services are provided by Benton County, Oregon State University Extension Service, Chintimini Wildlife Center, and Program Advisors. The Program Advisors include national experts in ranching with wildlife, predator ecology, and human-carnivore conflict.

3. Program Goals

The goals of the Benton County Agriculture and Wildlife Protection Program are to:

- Protect livestock, crops and property while coexisting with wildlife;
- Provide an opportunity for use of non-lethal animal damage deterrents to prevent conflicts with wildlife;
- Educate farmers and the community about wildlife conflicts and non-lethal methods to avoid conflicts;
- Build a collaborative relationship between the farming and wildlife conservation communities and Benton County government around common goals.

The AWPP does not evaluate or make recommendations on everyday animal husbandry practices, farm animal welfare, wildlife habitat, or land use.



Livestock guardian donkey Florencia, Grassward Dairy.

4. Program Timeline

July 1, 2017	Program Funded for the 2017-2019 Biennium
September 2017	Task Group formed
Sep 2017 - Apr 2018	Task Group meets monthly to develop program documents and website, organize education and outreach events, and review grant applications and select recipients
February 1, 2018	Publish website and announce grant program
February 24, 2018	OSU Small Farms Conference information table
March 17, 2018	Farming with Wildlife Workshop
April 2018	“ Using Coyotes to Protect Livestock. Wait. What? ” published, Oregon Small Farm News
April 4, 2018	Marys River Grange presentation
April 15, 2018	Grant application deadline
April 30, 2018	Notification of grant awards
July 2018	“ Alternative Animal Damage Program Takes Root ” published, Growing Newsletter
Oct 2018 - Mar 2019	Conduct visits to non-lethal deterrents project sites
November 12, 2018	OSU Science Pub information table
January 17, 2019	Installation of beaver pond leveler on Dunawi Creek near 53 rd Street
January 31, 2019	Project Evaluation Reports and Record Keeping Forms due
February 23, 2019	OSU Small Farms Conference Ranching with Wildlife session and information table

5. Educational Outreach

During the 2017-2019 pilot phase, the AWPP allocated approximately \$10,000 for the educational outreach program. The educational outreach program provides educational information in the form of websites, brochures, press releases, and occasional public presentations and training workshops on wildlife conflict prevention. The AWPP website can be found at www.co.benton.or.us/awpp.

Consultation services on the selection and use of non-lethal wildlife deterrents are provided to agricultural operations in Benton County that are anticipating or have experienced conflicts with wildlife.

Education and consultation services are provided by Benton County, Oregon State University Extension Service, Chintimini Wildlife Center, and Program Advisors. The Program Advisors include experts in ranching with wildlife, predator ecology, and human-carnivore conflict.

Educational outreach and consultation services activities in 2018 and 2019 included a website, two press releases, two magazine articles, a public presentation, a workshop, a conference session, and three tabling events.

The program also contributed \$3,000 toward the [installation](#) of a beaver [pond leveler](#) on Dunawi Creek. The device was installed as a demonstration project and to help reduce flooding of 53rd Street near the Willamette Pacific Railroad overpass. The Benton County Public Works Road Fund contributed \$500 toward the installation of the device. The pond leveler was installed by Jakob Shockey of [Beaver State Wildlife Solutions](#) with assistance from citizen volunteers.



Outlet pipe of beaver pond leveler installed on Dunawi Creek to help reduce flooding of 53rd Street.

6. Grant Program

The AWPP grant program required an application for non-lethal wildlife deterrent reimbursement funds. All grant applications were evaluated by citizen volunteers and reviewed by county officials. Successful applicants were notified of the amount awarded. Successful applicants purchased approved deterrents and submitted reimbursement request forms and receipts to the county office. Checks for up to the amount awarded in the name of the applicant were issued. Successful applicants were required to keep project records, report conflicts, evaluate their project, and abide by program requirements.

6.1 Who was Eligible for Grant Funding?

Agricultural operations in Benton County, of any size, on leased or owned land, that were anticipating or experienced conflicts with wildlife were eligible to apply for reimbursement funds. Commercial and hobby or lifestyle farms were eligible to apply. Though non-lethal deterrents projects were required to be located in Benton County, it was not necessary to be a resident of Benton County to apply. Applicants agreed to raise livestock or crops at their non-lethal deterrents project location(s) for at least one year to be eligible to receive grant funds.

6.2 What was Eligible for Grant Funding?

Non-lethal wildlife deterrent equipment, devices, and housing which proactively protect livestock and /or crops were eligible for funding. Examples of non-lethal deterrents included, but were not limited to:

guardian animals, certain types of fencing, birthing sheds, visual and acoustic scare devices, and flow devices such as beaver pond levelers.

Non-selective lethal wildlife control methods such as traps, snares, calling-and-shooting, denning (killing animals in their burrows or dens – usually with poisons), or poisons were **not** reimbursable, or allowed, under the program.

Reimbursement funds could only be applied to new purchases made after the grant award date. Retroactive costs or purchases made prior to the grant award date were not allowed.

6.3 How Much Grant Funding was Available?

During the 2017-2019 pilot phase, the AWPP allocated approximately \$35,000 for the cost share reimbursement grant program. Each applicant could request up to \$5,000 in reimbursement grant funds.

6.4 Selecting Non-Lethal Methods and Tools

Applicants selected methods they believed would work best for their particular operation and described how they would be used in their plan for conflict prevention in the grant application. The specific technique(s) employed depended on the wildlife species present, history of conflicts, type and size of the operation, site characteristics, cost, and available resources. A single non-lethal method can rarely be used successfully in most situations, so it was important to review all methods and match several tools to each specific situation and vary their use frequently. Non-lethal deterrents work best if used before conflicts with wildlife occur. Once wildlife has learned to exploit an unprotected resource, it can be challenging to prevent future conflict.

6.5 Grant Application Evaluation and Selection Process

All grant applications were evaluated by citizen volunteers and representatives from local agricultural and wildlife organizations using a blind review process. Grant awards were based on responses to questions in the reimbursement grant application form. In general, awards were made based on agreement between the applicant's philosophy of animal damage control and goals of the AWPP, the likely effectiveness of the proposed non-lethal deterrents project plan, and availability of funds. Other areas evaluated included the applicant's recognition of potential challenges, expectations for deterrents, conflict history, and commitment to using non-lethal deterrents to coexist with wildlife.

A simple checklist-style scoring system was developed as a tool to quickly score and rank applications for comparison. The scoring system was based on, and directly linked to, each of the questions found in the grant application form. One point was awarded for each key element in the application. A key element is one that indicates the proposed non-lethal deterrents project plan will be effective. Key elements were summed to obtain a total score for the application. An application with more key elements had a higher total score and received a higher ranking than an application with fewer key elements. A high-ranking application was more likely to be successful than a low-ranking application. There was no minimum score for an application to receive grant funding. Though applications were scored and ranked, the scoring system did not need to be used during this grant cycle since there was sufficient money to fund all eligible Project Plans.

6.6 Grant Program Requirements

Reimbursement Funds: The grant funds received can only be used for the purchase of non-lethal deterrents to prevent wildlife-caused damage to, or loss of, livestock or crops.

Cost share: Grant recipients agree to make an in-kind (non-cash) contribution of at least 25% of the requested grant amount over the three-year period following the award of the grant. In-kind contributions could include, but are not limited to, labor costs associated with the installation and upkeep of deterrent methods and devices, care and feeding of guardian animals, and labor costs for constructing protective housing that prevent conflicts with wildlife.

Record Keeping: Grant recipients agree to maintain a detailed record of their non-lethal deterrents project operations for three years from the date the grant is awarded. The records will include descriptions of any conflicts with wildlife which were prevented or resulted in damage or loss.

Reporting: Grant recipients agree to immediately report any damage to, or loss of, livestock or crops resulting from a failure of the deterrents used. Reports should be made to the AWPP county contact so that consultation with wildlife conflict experts is initiated and adjustments to deterrents can be discussed.

Project Evaluation: Grant recipients agree to submit an annual Project Evaluation Report for three years following the award of the grant. The Project Evaluation Report evaluates the effectiveness of the non-lethal deterrents project over the previous calendar year ending on December 31. This information will be used to identify effective methods and tools and evaluate satisfaction with the AWPP.

Restrictions: Grant recipients may not use non-selective lethal wildlife control methods such as traps, snares, calling-and-shooting, denning (killing animals in their burrows or dens), or poisons anywhere on the property where the funded non-lethal deterrents project will be implemented for three years following the award of the grant. Non-selective lethal methods can kill non-target species and non-offending individuals. Indiscriminate killing may have unintended consequences.

Attractant Removal: Grant recipients agree to remove all wildlife attractants at the project site including excess animal feeds, afterbirth, and sick, injured, or dead livestock.

Special Situations or Exceptions: Targeted killing (e.g. shooting) of an offending individual wild animal is allowed under the program but only when the animal is caught in the act of biting, wounding, killing or chasing healthy livestock. Shooting wildlife that respond to calls (calling-and-shooting) is not allowed under the program. Wild animals engaged in scavenging dead or dying livestock may not be killed.

Site Visits: County staff with AWPP citizen volunteers may schedule site visits to farm properties or other locations where non-lethal deterrents project activities are conducted.

Note: Any use of lethal control must fall within the rules and regulations set forth by the Oregon Department of Fish and Wildlife. Threats to human health and safety involving wildlife should be directed to the Oregon Department of Fish and Wildlife.

6.7 Grant Program Results

The AWPP awarded \$35,363 in reimbursement grant funds to eight Benton County farms for the purchase of wildlife-friendly animal damage deterrents to prevent conflicts with wildlife. Awards were made based upon the applicant's philosophy of animal damage control and the likely effectiveness of the proposed non-lethal deterrents project plan. Amounts awarded ranged from \$2,621 to the maximum allowed of \$5,000.

Four of the farms were located in Philomath, two in Corvallis, one in Alsea, and one in Blodgett. The farms ranged in size from 4 to 102 acres. Farmers had experience ranging from 0 to 15 years. Four of the farms had used non-selective lethal animal damage control methods in previous years (Table 1). All grant recipients agreed to not use traps, snares, calling-and-shooting, or poisons for the next three years as part of the grant application process.

Table 1. Characteristics of eight farms awarded \$35,363 in reimbursement grants.

Farm	Location	Size (Acres)	Farming (Years)	Protecting	Formerly Used Lethal Methods?	Funded Amount
1	Corvallis	4	0	Livestock and Crops	New Farm	\$4,261
2	Philomath	50	5	Livestock	No	\$5,000
3	Philomath	10	12	Livestock	Yes	\$5,000
4	Alsea	67	15	Livestock	Yes	\$2,621
5	Blodgett	52	7	Livestock	Yes	\$3,713
6	Philomath	102	4	Livestock and Crops	Yes	\$4,768
7	Corvallis	7	2	Livestock and Crops	No	\$5,000
8	Philomath	23	4	Crops	No	\$5,000



Livestock guardian dogs Shasta and Lassen, Red Bird Acres Farm.

Grant recipients proposed to protect a variety of livestock and crops (Table 2). Sheep and goats were the most common livestock/crop proposed for protection. Expected wildlife conflict species included carnivores, herbivores, domestic dogs, birds of prey, wildfowl, and songbirds. Cougars and coyotes were the most common wildlife conflict species identified by grant recipients (Table 3).

Table 2. Livestock and crops proposed for protection at eight farms awarded reimbursement grants.

Livestock / Crop	Farm 1	Farm 2	Farm 3	Farm 4	Farm 5	Farm 6	Farm 7	Farm 8
Sheep	x		x	x		x	x	
Goats	x		x		x	x		
Pigs		x						
Chickens	x	x				x		
Turkeys		x						
Hazelnuts						x		
Vegetables	x							
Fodder Crop					x			
Specialty Cut Flowers							x	
Industrial Hemp								x

Table 3. Expected wildlife conflict species at eight farms awarded reimbursement grants.

Conflict Species	Farm 1	Farm 2	Farm 3	Farm 4	Farm 5	Farm 6	Farm 7	Farm 8
Cougar	x		x	x	x	x	x	x
Coyote	x	x	x		x	x		
Bobcat	x			x		x	x	
Fox	x	x						
Black Bear			x					
Dog			x					
Raccoon		x		x				
Skunk		x						
Elk and/or Deer	x				x		x	x
Rabbit	x							
Hawk and/or Owl		x						
Steller's Jay						x		
Wild Turkey								x

Two farms which were awarded grants (Farms 7 and 8) did not submit reimbursement claim forms or required year-end project evaluation reports and did not respond to inquiries from county officials. Six of the eight grant recipients (Farms 1-6) fully participated in the program by purchasing and installing wildlife deterrents and submitting year-end project evaluation reports. Information in Tables 4-7 below refers to these six farms.

During the first year of implementation, all six farms that participated in the grant program experienced little or no crop or livestock losses using non-lethal deterrents. Record keeping forms indicate that cougars, coyotes, and other conflict species were often present during the reporting period. Overall, only six beets and one chicken were lost after all non-lethal deterrents were installed. The four farms (Farms 3-6) that had previously used lethal animal damage control and experienced crop and livestock losses in previous years experienced no losses when using only non-lethal deterrents (Table 4).

Table 4. Crop and livestock losses three years prior to (2015-2017) and after (2018) non-lethal deterrents project plans were implemented. Farms 3-6 used lethal methods prior to 2018.

Farm	Location	2015	2016	2017	2018
1	Corvallis	Not Farming	Not Farming	Not Farming	6 Beets
2	Philomath	> 150 Fowl	10-20 Fowl	5 Fowl ¹	1 Fowl ²
3	Philomath	6 Fowl	3 Goats, 12 Fowl	3 Fowl	No Losses
4	Alsea	3 Fowl	2 Fowl	5 Fowl	No Losses
5	Blodgett	2 Sheep	No Losses	10 Fowl, ½ acre Root Crops	No Losses
6	Philomath	No Losses	14 Fowl	2 Goats, 4.6 acres Hazelnuts	No Losses

¹ Started using first livestock guardian dog in 2017.

² Four chickens were killed by hawk and/or owl before all non-lethal deterrents were installed. A total of 2,400 chickens were raised in 2018.



Livestock guardian dog Angel and ram Diego, Silvernail Farm and Orchard.

Grant participants used a wide variety of non-lethal wildlife deterrents including livestock guardian animals, electrified fencing, electronic scare devices, and protective housing to protect their crops and livestock. During the first year of implementation, all grant participants reported being highly satisfied (94%) or satisfied (6%) with the non-lethal methods and tools they selected (Table 5). Program participants also reported being highly satisfied (72%) or satisfied (28%) with the individual Agriculture and Wildlife Protection Program elements they made use of (Table 6).

Overall, program participants were highly satisfied (83%) or satisfied (17%) with the Agriculture and Wildlife Protection Program and all participants said they would apply again for a wildlife deterrents grant and would recommend the grant program to other farmers (Table 7).

Table 5. Level of satisfaction with non-lethal methods and tools used to protect crops and livestock (HS = Highly Satisfied, S = Satisfied, D = Dissatisfied, HD = Highly Dissatisfied).

Non-Lethal Deterrent	Farm 1	Farm 2	Farm 3	Farm 4	Farm 5	Farm 6
Livestock Guardian Dog		HS				HS ¹
Livestock Guardian Donkey					HS ¹	
Portable Electric Fence	HS	HS		HS	S	HS
Woven Wire Fence	HS		HS			
Electrified Wire Fence				HS		HS
Protective Housing			HS			
Electronic Scare Device (Light)				HS		
Electronic Scare Device (Sound)				HS		HS
Mylar Flagging						HS
Non-Toxic Bird Deterrent Spray						HS

¹ Not purchased with AWPP grand funds



Sheep, electric fencing, and Nite Guard predator light, Leaping Lamb Farm.

Table 6. Level of satisfaction with individual Agriculture and Wildlife Protection Program elements. Blank cells indicate program elements that were not used by the program participant (HS = Highly Satisfied, S = Satisfied, D = Dissatisfied, HD = Highly Dissatisfied).

Program Element	Farm 1	Farm 2	Farm 3	Farm 4	Farm 5	Farm 6
Educational Outreach	-	-	-	-	-	-
Weblinks in Application Form	S	HS		HS		HS
Weblinks on AWPP Website	S	HS		HS		HS
Farming with Wildlife Workshop		HS				
Small Farms Conference Table	HS			HS		
Ranching With Wildlife Brochure						
Consultation Services	-	-	-	-	-	-
AWPP Representatives	HS	HS		HS		HS
OSU Extension Service	HS	HS	HS	HS		
Chintimini Wildlife Center		HS				
Grant Program	-	-	-	-	-	-
Guidelines & Information Pages	HS	HS	HS	HS	S	S
Application Form	HS	HS	HS	HS	S	S
Record Keeping Form	HS	S	HS	HS	S	S
Project Evaluation Form	S	S	HS	HS	S	S
Amount of Financial Assistance	HS	HS	HS	HS	S	HS

Table 7. Overall level of satisfaction with the Agriculture and Wildlife Protection Program (HS = Highly Satisfied, S = Satisfied, D = Dissatisfied, HD = Highly Dissatisfied).

Question	Farm 1	Farm 2	Farm 3	Farm 4	Farm 5	Farm 6
What was your overall level of satisfaction with the AWPP?	HS	HS	HS	HS	S	HS
Would you apply again for a wildlife deterrents grant?	Yes	Yes	Yes	Yes	Yes	Yes
Would you recommend the program to other farmers?	Yes	Yes	Yes	Yes	Yes	Yes

7. Reading List

7.1 Websites

AWPP Website: <http://www.co.benton.or.us/awpp>

Livestock-Predator Hub: <http://rangelands.ucdavis.edu/predator-hub/current-research/>

Farming with Carnivores Network: <http://farmingwithcarnivoresnetwork.com/animal-husbandry/>

Non-Lethal Solutions to Reduce Conflicts: <https://tinyurl.com/y9eyed3h>

The Encyclopedia of Animal Predators: <https://www.jandohner.com/resources>

Safeguarding Livestock: <http://mountainlion.org/portalprotectlivestock.asp>

Resolving Conflicts with Beaver: <https://www.beaverinstitute.org/>

7.2 Books

Dohner, J.V. 2017. The Encyclopedia of Animal Predators. Storey Publishing, North Adams, Massachusetts. <https://www.amazon.com/Encyclopedia-Animal-Predators-Behaviors-Livestock/dp/1612127053>

Goldfarb, B. 2018. Eager: The Surprising, Secret Life of Beavers and Why They Matter. Chelsea Green, White River Junction, Vermont. <https://www.amazon.com/Eager-Surprising-Secret-Beavers-Matter/dp/160358739X>

Shivik, J. A. 2014. The Predator Paradox – Ending the war with wolves, bears, cougars, and coyotes. Beacon Press, Boston, Massachusetts. <https://www.amazon.com/The-Predator-Paradox-Cougars-Coyotes/dp/0807084964/>

7.3 Newspapers and Magazines

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Lies, Mitch. “Alternative Animal Damage Control Program Takes Root.” *Growing Newsletter*, July-August 2018, <https://tinyurl.com/y598cgs7>

7.4 Scientific Journals

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Conner, M. M., M. M. Jaeger, T. J. Weller, and D. R. McCullough. 1998. Effect of coyote removal on sheep depredation in northern California. *Journal of Wildlife Management* 62:690-99. http://www.aphis.usda.gov/wildlife_damage/nwrc/publications/98pubs/98-24.pdf

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Linnell, J.D.C., M.E. Smith, J. Odden, P. Kaczensky, J.E. Swenson. 1996. Strategies for the reduction of carnivore-livestock conflicts: a review. *NINA Oppdragsmelding* 443:1-116. <http://tinyurl.com/y3czhj2a>

Sacks, B. N., M. M. Jaeger, J. C. C. Neale, D. R. McCullough. 1999. Territoriality and breeding status of coyotes relative to sheep predation. *The Journal of Wildlife Management* 63:593-605.

<http://tinyurl.com/y2bupamd>

Shivik, J. A., A. Treves, P. Callahan. 2003. Non-lethal techniques for managing predation: primary and secondary repellents. *Conservation Biology* 17:1531-37.

http://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1266&context=icwdm_usdanwrc

Shivik, J.A. 2004. Non-lethal Alternatives for Predation Management. *Sheep & Goat Research Journal* 19:64-71. <http://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1013&context=icwdmsheepgoat>

Treves, A., M. Krofel, J. McManus. 2016. Predator control should not be a shot in the dark. *Frontiers in Ecology and the Environment* 14(7): 380–388.

http://faculty.nelson.wisc.edu/treves/pubs/Treves_Krofel_McManus.pdf

House Bill 3075

Sponsored by Representative LEIF

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Repeals sunset of predator damage control district program. Changes requirements for petition for formation of predator damage control district. Increases annual charges that landowners may choose to incur for land located in predator damage control district. Amends provisions for determining and charging county's administrative costs. Authorizes county to direct bill landowners for annual charges.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1

2 Relating to predator damage control districts; amending sections 2, 3, 5 and 7, chapter 650, Oregon
3 Laws 2015; repealing section 8, chapter 650, Oregon Laws 2015; and prescribing an effective
4 date.

5 **Be It Enacted by the People of the State of Oregon:**

6 **SECTION 1. Section 8, chapter 650, Oregon Laws 2015, is ~~repealed~~ amended to read:-**

7 **Sections 1 to 7 of this 2015 Act are repealed January 2, ~~2022~~ 2028.**

8 **SECTION 2. Section 2, chapter 650, Oregon Laws 2015, is amended to read:**

9 **Sec. 2. (1)(a) Notwithstanding ORS 198.705 to 198.955, one or more predator damage control**
10 **districts may be formed within a county under this section for the purpose of funding county ser-**
11 **vices to prevent, reduce and mitigate damage to property from predatory animals.**

12 **(b) The governing body of a county may adopt by ordinance or resolution criteria for formation**
13 **of a predator damage control district that do not conflict with the provisions of sections 1 to 7, [of**
14 **this 2015 Act] chapter 650, Oregon Laws 2015. The criteria shall apply to predator damage control**
15 **districts formed on or after the effective date of the ordinance or resolution.**

16 **(2)(a) The formation of a predator damage control district may be initiated by a petition signed**
17 **by more than 50 percent of the eligible petitioners who cumulatively own more than 50 percent by**
18 **area of the eligible land within the **boundaries of the** proposed predator damage control district.**

19 **The proposed boundaries must be identified by tax lots and may be noncontiguous.** All signa-
20 **tures must bear dates that are within a single six-month period.**

21 **(b) The petition must include:**

22 **(A) The name of the proposed district;**

23 **(B) A description of the boundaries of the proposed district;**

24 **(C) The names of the petitioners, identifying the chief petitioners, and the number of acres of**
25 **eligible land that each petitioner owns;**

26 **(D) A statement that the petitioners agree to pay the reasonable charges incurred in forming**
27 **the district; and**

28 **(E) A statement that explains the damage to property from predatory animals occurring within**
29 **the proposed district and the need for district revenue to prevent, reduce and mitigate the damage.**

30 **(3)(a) The petition must be presented for filing to the county clerk of the county in which the**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 proposed predator damage control district is located.

2 (b) Within 10 days after the date on which the petition is filed, the county clerk, in consultation
3 with the county assessor, shall determine whether the petition meets the requirements of subsection
4 (2) of this section. If the petition does not meet the requirements, the county clerk shall notify the
5 chief petitioners and return the petition.

6 (c) If the petition meets the requirements of subsection (2) of this section, the county clerk shall
7 file the petition, attaching to it a certificate of the county assessor stating that:

8 (A) The county assessor has compared the signatures of the petitioners with the appropriate
9 records and has [*determined the number of*] **verified the signatures of the** eligible petitioners ap-
10 pearing on the petition; and

11 (B) The petition meets the requirements of subsection (2) of this section.

12 (4) After the petition has been filed, the county clerk shall set a time for a public hearing on
13 the question of the formation of the district and, at least 15 days before the hearing and for not less
14 than five consecutive days, shall post notice of the hearing:

15 (a) On the website of the county; and

16 (b) On or near the doors of the meeting room of the governing body of the county or on any
17 official public bulletin board customarily used for the purpose of posting public notices pertaining
18 to the business of the county.

19 (5) The governing body of the county shall hear testimony on the question of the formation of
20 the district that is presented at the public hearing. The governing body shall make a determination
21 whether to form the district based on the petition and the testimony.

22 **SECTION 3.** Section 3, chapter 650, Oregon Laws 2015, is amended to read:

23 **Sec. 3.** (1)(a) At any time after the formation of a predator damage control district under section
24 2, [*of this 2015 Act*] **chapter 650, Oregon Laws 2015**, the advisory board appointed under section
25 4, [*of this 2015 Act*] **chapter 650, Oregon Laws 2015**, may request that the governing body of the
26 county annex **eligible land** to or withdraw **eligible land** from the district [*territory that is adjacent*
27 *to the external boundaries of the district*].

28 (b) The request must be accompanied by a statement of the reason for the annexation or with-
29 drawal and the signatures of the owners of the property to be annexed or withdrawn.

30 (c) The governing body shall adopt the requested annexation or withdrawal of the [*territory*]
31 **eligible land** if the governing body finds that the change is in the best interest of the property and
32 the property owners in light of the purpose for which the district was formed.

33 (2)(a) A petition for dissolution of a predator damage control district formed under section 2,
34 [*of this 2015 Act*] **chapter 650, Oregon Laws 2015**, may be presented for filing with the county clerk
35 if the petition meets the signature requirements of section 2 (2)(a), [*of this 2015 Act*] **chapter 650,**
36 **Oregon Laws 2015**, and states why the district is no longer necessary for the purpose described in
37 section 2 (1), [*of this 2015 Act*] **chapter 650, Oregon Laws 2015**.

38 (b) The filing, notice and hearing requirements of section 2 (3) and (4), [*of this 2015 Act*] **chapter**
39 **650, Oregon Laws 2015**, apply to a petition for dissolution of a district.

40 (3) The governing body of the county shall hear testimony on the question of the dissolution of
41 the district that is presented at the public hearing. The governing body shall make a determination
42 whether to dissolve the district based on the petition and the testimony.

43 **SECTION 4.** Section 5, chapter 650, Oregon Laws 2015, is amended to read:

44 **Sec. 5.** (1)(a) Each property tax year, the following annual charges may be incurred by a land-
45 owner with respect to land located in a predator damage control district for the purpose of paying

1 the actual cost to the county of preventing, reducing and mitigating damage to the property from
 2 predatory animals:

3 [(a)] (A) [\$1] \$2 per acre for land described in section 6 (2) and (3), [of this 2015 Act] chapter
 4 650, Oregon Laws 2015.

5 [(b)] (B) [\$25] \$50 for land described in section 6 (4), [of this 2015 Act] chapter 650, Oregon
 6 Laws 2015.

7 (b) For purposes of this subsection, the actual cost to the county does not include indi-
 8 rect or pooled job costs assessed to the county for federal wildlife services.

(c) For purposes of this subsection, the actual cost to the county includes the cost of non-lethal actions to prevent, reduce and mitigate damage to property from predatory animals, and a county receiving funds under this subsection shall make reasonable efforts to use such methods before using lethal actions.

89

90 (2) Notwithstanding subsection (1) of this section, each year the advisory board of a predator
 91 damage control district shall consider whether the charges specified in subsection (1) of this section
 92 are sufficient to pay the cost to the county described in subsection (1) of this section and may re-
 93 commend to the governing body of the county the charges as specified or greater or lesser amounts.

94 The recommendation must be received by the county on or before a date prescribed by the county.

95 (3)(a) The governing body of the county shall consider the recommended amounts of the charges
 96 and may:

97 [(a)] (A) Amend the amounts to reflect the county's estimate of the cost described in subsection
 98 (1) of this section for the following property tax year; and

99 [(b)] (B) Further increase or reduce the amounts to reflect a deficit or excess, respectively, in
 100 the amount of the charge for the current property tax year.

101 (b) The governing body of the county may, with the consent of the governing body of the
 102 city, charge an incorporated city for costs described in subsection (1) of this section.

103 SECTION 5. Section 7, chapter 650, Oregon Laws 2015, is amended to read:

104 Sec. 7. (1) Each year, on or before a date prescribed by the governing body of the county in
 105 which the district is located, the advisory board of a predator damage control district shall submit
 106 to the county a list showing, for the following property tax year:

107 (a) The names of landowners that have elected to incur the charge under section 6, [of this 2015
 108 Act] chapter 650, Oregon Laws 2015;

109 (b) The names of landowners that have elected to discontinue incurring the charge; and

110 (c) Each tax account for which a charge has been incurred, the size of the tax lot and whether
 111 the charge is the per acre charge or the flat rate charge.

112 (2)(a) The governing body of the county shall certify the information submitted by all advisory
 113 boards for predator damage control districts within the county and the amount of the charges de-
 114 termined under section 5, [of this 2015 Act] chapter 650, Oregon Laws 2015, to the county assessor.

115 (b) The charges shall be entered upon the tax rolls of the county and be collected and accounted
 116 for in the same manner in which county taxes are collected and accounted for.

117 (c) Notwithstanding paragraph (b) of this subsection, the charges may be collected from
 118 landowners by direct billing. The advisory board of a predator damage control district shall
 119 determine the deadline for the collection of charges by direct billing within the district.

120 [(c)] (d) A charge does not give rise to a lien on the property for which the charge is incurred.

121 (3) The county may not provide services to prevent, reduce or mitigate damage from predatory
 122 animals to property within a predator damage control district for any period during which:

123 (a) The owner has elected not to incur the applicable charge for the services; or

~~4344~~ (b) The charge remains delinquent.

~~4445~~ **SECTION 6.** This 2021 Act takes effect on the 91st day after the date on which the 2021
~~4546~~ regular session of the Eighty-first Legislative Assembly adjourns sine die.

House Bill 3167

Sponsored by Representative SMITH DB

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Repeals sunset of predator damage control district program. Changes requirements for petition for formation of predator damage control district. Increases annual charges that landowners may choose to incur for land located in predator damage control district. Amends provisions for determining and charging county's administrative costs. Authorizes county to directly bill landowners for annual charges.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

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2 Relating to predator damage control districts; amending sections 2, 3, 5 and 7, chapter 650, Oregon
3 Laws 2015; repealing section 8, chapter 650, Oregon Laws 2015; and prescribing an effective
4 date.

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10 districts may be formed within a county under this section for the purpose of funding county ser-
11 vices to prevent, reduce and mitigate damage to property from predatory animals.

12 (b) The governing body of a county may adopt by ordinance or resolution criteria for formation
13 of a predator damage control district that do not conflict with the provisions of sections 1 to 7, [of
14 this 2015 Act] **chapter 650, Oregon Laws 2015**. The criteria shall apply to predator damage control
15 districts formed on or after the effective date of the ordinance or resolution.

16 (2)(a) The formation of a predator damage control district may be initiated by a petition signed
17 by [more than 50 percent of the] **at least 10** eligible petitioners who cumulatively own [more than 50

18 percent by area of the] **at least 10,000 acres of** eligible land within the **boundaries of the** proposed
19 predator damage control district. **The proposed boundaries must be identified by tax lots and**
20 **may be noncontiguous.** All signatures must bear dates that are within a single six-month period.

21 (b) The petition must include:

22 (A) The name of the proposed district;

23 (B) A description of the boundaries of the proposed district;

24 (C) The names of the petitioners, identifying the chief petitioners, and the number of acres of
25 eligible land that each petitioner owns;

26 (D) A statement that the petitioners agree to pay the reasonable charges incurred in forming
27 the district; and

28 (E) A statement that explains the damage to property from predatory animals occurring within
29 the proposed district and the need for district revenue to prevent, reduce and mitigate the damage.

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 13 the question of the formation of the district and, at least 15 days before the hearing and for not less
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15 (a) On the website of the county; and

16 (b) On or near the doors of the meeting room of the governing body of the county or on any
 17 official public bulletin board customarily used for the purpose of posting public notices pertaining
 18 to the business of the county.

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89 (c) For purposes of this subsection, the actual cost to the county includes the cost of non-lethal
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county receiving funds under this subsection shall make reasonable efforts to use such
methods before using lethal actions.

910 (2) Notwithstanding subsection (1) of this section, each year the advisory board of a predator
 1011 damage control district shall consider whether the charges specified in subsection (1) of this section
 1112 are sufficient to pay the cost to the county described in subsection (1) of this section and may re-
 1213 commend to the governing body of the county the charges as specified or greater or lesser amounts.
 1314 The recommendation must be received by the county on or before a date prescribed by the county.

1415 (3)(a) The governing body of the county shall consider the recommended amounts of the charges
 1516 and may:

1617 [(a)] (A) Amend the amounts to reflect the county's estimate of the cost described in subsection
 1718 (1) of this section for the following property tax year; and

1819 [(b)] (B) Further increase or reduce the amounts to reflect a deficit or excess, respectively, in
 1920 the amount of the charge for the current property tax year.

2021 (b) The governing body of the county may, with the consent of the governing body of the
 2122 city, charge an incorporated city for costs described in subsection (1) of this section.

2223 **SECTION 5.** Section 7, chapter 650, Oregon Laws 2015, is amended to read:

2324 **Sec. 7.** (1) Each year, on or before a date prescribed by the governing body of the county in
 2425 which the district is located, the advisory board of a predator damage control district shall submit
 2526 to the county a list showing, for the following property tax year:

2627 (a) The names of landowners that have elected to incur the charge under section 6, [of this 2015
 2728 Act] chapter 650, Oregon Laws 2015;

2829 (b) The names of landowners that have elected to discontinue incurring the charge; and

2930 (c) Each tax account for which a charge has been incurred, the size of the tax lot and whether
 3031 the charge is the per acre charge or the flat rate charge.

3132 (2)(a) The governing body of the county shall certify the information submitted by all advisory
 3233 boards for predator damage control districts within the county and the amount of the charges de-
 3334 termined under section 5, [of this 2015 Act] chapter 650, Oregon Laws 2015, to the county assessor.

3435 (b) The charges shall be entered upon the tax rolls of the county and be collected and accounted
 3536 for in the same manner in which county taxes are collected and accounted for.

3637 (c) Notwithstanding paragraph (b) of this subsection, the charges may be collected from
 3738 landowners by direct billing. The advisory board of a predator damage control district shall
 3839 determine the deadline for the collection of charges by direct billing within the district.

3940 [(c)] (d) A charge does not give rise to a lien on the property for which the charge is incurred.

4041 (3) The county may not provide services to prevent, reduce or mitigate damage from predatory
 4142 animals to property within a predator damage control district for any period during which:

4243 (a) The owner has elected not to incur the applicable charge for the services; or

4344 (b) The charge remains delinquent.

~~4345~~ _____

~~4446~~ **SECTION 6.** This 2021 Act takes effect on the 91st day after the date on which the 2021
~~4547~~ regular session of the Eighty-first Legislative Assembly adjourns sine die.

