

HB 4148 A STAFF MEASURE SUMMARY

House Committee On Agriculture, Land Use, Natural Resources, and Water

Action Date: 02/13/24

Action: Do pass with amendments and be referred to Ways and Means by prior reference.
(Printed A-Eng.)

Vote: 8-0-1-0

Yeas: 8 - Boice, Gamba, Hartman, Helm, Levy B, Marsh, McLain, Scharf

Exc: 1 - Owens

Fiscal: Fiscal impact issued

Revenue: No revenue impact

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Meeting Dates: 2/6, 2/13

WHAT THE MEASURE DOES:

The measure appropriates \$2.28 million from the General Fund to the Oregon Department of Fish and Wildlife (ODFW) for distribution to the Oregon Veterinary Diagnostics Laboratory to, in consultation with the Invasive Species Council (Council), expand programs related to wildlife disease to improve the state’s coordination, monitoring, prevention, and response to certain wildlife diseases. The measure also appropriates \$1.47 million from the General Fund to the Council and directs the Council to review and report on certain Council programs and activities. The measure directs ODFW to establish and maintain a wildlife coexistence program in accordance with Oregon’s wildlife policy and makes changes to provisions and reporting requirements of the Oregon Department of Transportation’s wildlife-vehicle collision program.

Detailed Summary

Wildlife Disease Programs (Sections 1 – 2, and 9 – 10)

Directs the Oregon Department of Fish and Wildlife (ODFW), in partnership with Oregon State University (OSU) and the Oregon Veterinary Diagnostics Laboratory (OVDL), and in consultation with the Invasive Species Council (Council), to expand programs related to wildlife disease to improve the state’s coordination, monitoring, prevention, and response related to zoonotic diseases and other wildlife diseases of concern. Authorizes ODFW and OSU to consult with other entities and experts as needed. Appropriates \$1.177 million from the General Fund to ODFW for implementation, including expanding the capacity of the Wildlife Health Laboratory, and expanding sample collection related to chronic wasting disease. Appropriates a total of \$2.28 million from the General Fund to the Higher Education Coordinating Commission for distribution to OSU for the OVDL, of which \$1.58 million is intended for increasing personnel, supplies, and additional equipment related to zoonotic diseases, and \$700,000 is intended for increasing personnel, supplies, and additional equipment related to chronic wasting disease. Sunsets January 2, 2027.

Invasive Species Council (Sections 3 – 4, and 11)

Directs the Invasive Species Council (Council) to, by reviewing its statutory obligations and authorizations, identify, prioritize, and, subject to available funding, implement actions that would improve the state’s ability to prevent the establishment of invasive species and their negative impacts in Oregon. Requires the Council to write a report on its findings to the House Committee on Agriculture, Land Use, Natural Resources, and Water, or to include its findings in the Council’s biennial report to the legislature, by December 15, 2025. Appropriates a total of \$1.47 million from the General Fund to the Council, of which \$220,000 is intended to carry out provisions described in the measure, \$500,000 is intended for deposit in the Invasive Species Council Account for supporting outreach

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and education, and \$750,000 is intended for deposit in the Invasive Species Control Account for implementation. Sunsets January 2, 2027.

Wildlife Coexistence (Sections 5 and 9)

Directs ODFW to establish and maintain a wildlife coexistence program in accordance with Oregon's wildlife policy that aims to reduce conflicts and promote coexistence between humans and wildlife. Specifies program activities may include human-wildlife conflict resolution, outreach, education, and training; support or grants for wildlife rehabilitation centers; and other work related to wildlife stewardship and compatibility living with wildlife in areas of high potential human-wildlife conflict. Appropriates \$300,000 from the General Fund to ODFW for wildlife rehabilitation center grant awards.

Wildlife Corridors (Sections 6 – 8)

Modifies provisions of the Oregon Department of Transportation (ODOT) wildlife-vehicle collision program to include feasibility studies for creating or modifying safer road infrastructure; necessary updates to the guidance, standards, and specifications for incorporating wildlife corridor features into the design and construction of highway modifications; and a publicly available list of priority projects to reduce wildlife-vehicle collisions that is developed in consultation with ODFW with opportunity for public input. Expands ODOT's biennial reporting requirements to include the outcome of the feasibility studies, a list of priority projects, project implementation timelines, estimated project costs, funding sources, and a description of the department's past, current, and recommended future actions to secure funding. Requires ODFW to consider opportunities to secure competitive federal funding grants and other matching funds when implementing wildlife mobility and habitat connectivity projects, and to, contingent on available funding, undertake projects consistent with Oregon Conservation and Recreation Fund activities to support such projects or to provide assistance to partners for such projects. Removes temporary provisions that expired on December 31, 2023.

Declares an emergency, effective on passage.

ISSUES DISCUSSED:

- History of efforts to prevent Chronic Wasting Disease (CWD) in Oregon
- Absence of evidence that CWD is transmissible to humans
- Success of monitoring programs in other states

EFFECT OF AMENDMENT:

The amendment changes the requirement for the wildlife coexistence program to be "consistent with" Oregon's wildlife policy, to a requirement for it to be "in accordance with" Oregon's wildlife policy. It requires that a list of priority projects to reduce wildlife-vehicle collisions is included in the modifications of the ODOT wildlife-vehicle collision program and ODOT's reporting requirements. It requires the list of priority projects to be developed in consultation with ODFW, with an opportunity for public input, and to be made publicly available on ODOT's website. The amendment requires ODFW to consider opportunities to secure competitive federal funding grants, and other matching funds when implementing wildlife mobility and habitat connectivity projects. The amendment also includes minor language adjustments for readability and corrects a numerical drafting error.

BACKGROUND:

Wildlife Disease Programs

Chronic wasting disease (CWD) is a fatal, infectious disease affecting deer, elk, and moose across North America. It is spread through direct body contact or infectious material and results in gradual loss of body fat and muscle mass. There is no cure as CWD is caused by misfolded proteins that transmit their misfolded shape onto normal variants of the same protein. CWD is usually diagnosed by testing brain or lymph tissues from dead animals. The disease was first reported in the 1960s and currently cases have occurred in at least 29 states. While CWD has not yet been detected in Oregon, in 2021 the disease was found in mule deer harvested in Idaho 30 miles from the

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Oregon border. There are currently no documented cases of CWD in people. In order to prevent the spread of CWD in Oregon, the Oregon Department of Fish and Wildlife operates check stations along major highways during deer and elk hunting seasons and requires all hunters transporting harvested wildlife to stop when they encounter a check station. Sample material is sent out of state for analysis, as the Oregon Veterinary Diagnostic Laboratory does not currently have the capacity to test for CWD.

Invasive Species Council

“Invasive species” are plants, animals, and microbes not native to a region. When invasive species are introduced to a new area, they outcompete native species for available resources, reproduce prolifically, and dominate regions and ecosystems. The Oregon Invasive Species Council was created by the legislature in 2001, with the mission to conduct a coordinated and comprehensive effort to keep invasive species out of Oregon and to eliminate, reduce, or mitigate the impacts of invasive species already established in Oregon.

Wildlife Coexistence

Human-wildlife conflict can occur when the needs and behavior of wildlife have negative impacts on humans or vice versa. Examples of such conflicts are crop damage by wildlife or wildlife-vehicle collisions.

Wildlife Corridors

Wildlife corridors are man-made infrastructures managed by the Oregon Department of Transportation that provide safe passage for animals forced to navigate ecosystems fragmented by roads. Their purpose is to help animals during breeding season migrate to other feeding grounds and reduce the chances of wildlife-vehicle collisions. The first wildlife corridor in Oregon was built in 2012. In 2019, passage of House Bill 2834 led to the development of a Wildlife Corridor Action Plan under the direction of the Oregon Department of Fish and Wildlife. Since then, several other wildlife corridor projects have been completed, and research to determine best practices on location selection is ongoing. The legislature also adopted House Bill 2829 in 2019, which created the Oregon Conservation and Recreation Fund. The fund is dedicated to activities that protect, maintain, or enhance fish and wildlife resources throughout Oregon.