

# House Bill 3657

Sponsored by Representatives LEVY B, EDWARDS; Representatives MCINTIRE, RESCHKE, Senator NASH

## 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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act tells an agency to create a pilot program related to damage caused by wildlife. The Act creates a fund for the pilot program. The Act gives money to the agency for the pilot program. (Flesch Readability Score: 74.8).

Directs the State Department of Agriculture to establish a wildlife damage prevention and compensation pilot program.

Establishes the Wildlife Damage Prevention and Compensation Fund in the State Treasury. Continuously appropriates moneys in the fund to the department for implementing the program.

Sunset the program and fund on January 2, 2030.

Directs the department and the State Department of Fish and Wildlife to report on the program to committees or interim committees of the Legislative Assembly related to natural resources on or before September 15, 2028.

Appropriates moneys to the State Department of Agriculture for implementing the program.

Takes effect on the 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to damage caused by wildlife; and prescribing an effective date.

3       Whereas it is in the interest of the State of Oregon to encourage coexistence with Oregon  
4 wildlife; and

5       Whereas wildlife cause considerable damage and loss to crops, forage and infrastructure in  
6 Oregon; and

7       Whereas farmers and ranchers are economically impacted by damage caused by wildlife in a  
8 wide variety of ways, including suffering directly measurable losses, expending time and labor to  
9 prevent, mitigate and address the damage and suffering the opportunity cost of having to forego  
10 growing certain high-value crops that are attractive to wildlife; and

11       Whereas a program of limited duration to support farmers and ranchers through prevention and  
12 compensation is viewed as a meaningful part of a larger wildlife management conversation that aims  
13 to address root causes of human-wildlife conflict in Oregon; and

14       Whereas it is the policy of the State of Oregon that appropriate measures must be taken to as-  
15 sist farmers, ranchers and others in resolving wildlife damage problems, and that federal, state,  
16 county and other local governments involved in wildlife damage control should cooperate in their  
17 related efforts; now, therefore,

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

## 19 20                   WILDLIFE DAMAGE PREVENTION AND COMPENSATION PILOT PROGRAM

### 21 22           **SECTION 1. As used in this section and sections 2 and 3 of this 2025 Act:**

23           (1) **"Best preventive measures" has the meaning given that term in rule by the State**  
24 **Department of Agriculture.**

**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 (2) “Eligible damage”:

2 (a) Means wildlife damage on eligible land to standing or harvested agricultural crops,  
3 including livestock forage, or to infrastructure, including fences or agricultural equipment,  
4 that has not been covered by insurance.

5 (b) May include the cost of third-party assessment of the damage.

6 (3) “Eligible land” means land:

7 (a) That is privately owned or leased.

8 (b) That is not enrolled in a conservation reserve program.

9 (c) That is in a pilot program area, as determined under section 2 of this 2025 Act.

10 (d) For which no fee is charged for hunting on the land.

11 (4) “Eligible person” means a person who:

12 (a) Lives on, leases or works eligible land.

13 (b) Derives \$10,000 or more per year, on average, from producing agricultural crops, in-  
14 cluding forage, on the eligible land.

15 (c) Owns crops or infrastructure that is damaged by wildlife.

16 (5) “Eligible preventive measure” means a measure that is reasonably expected to reduce  
17 wildlife damage on eligible land, including:

18 (a) Repellants used on small-size areas.

19 (b) Temporary or permanent barriers around medium-size areas such as specialty crops,  
20 orchards or tree farms.

21 (c) Reasonable time spent on nonlethal deterrence activities such as hazing, but not in-  
22 cluding labor to build barriers.

23 **SECTION 2.** (1) The State Department of Agriculture shall establish and implement a  
24 wildlife damage prevention and compensation pilot program.

25 (2) Under the pilot program, the department shall use available moneys in the Wildlife  
26 Damage Prevention and Compensation Fund established under section 4 of this 2025 Act to  
27 provide compensation for eligible damages or eligible preventive measures to eligible persons  
28 who suffer loss due to wildlife damage.

29 (3) In consultation with the State Department of Fish and Wildlife and local governments  
30 that have wildlife damage pilot programs, the State Department of Agriculture shall select  
31 up to 10 pilot program areas in areas east of the Cascade Mountains and west of the Cascade  
32 Mountains after considering, for the areas:

33 (a) The history of wildlife damage to agriculture.

34 (b) The timing of wildlife damage, including throughout the year or seasonally.

35 (c) Past actions by agencies and landowners to alleviate wildlife damage.

36 (d) The sizes and distribution of wildlife populations that cause damage.

37 (e) How diverse agricultural crop types are.

38 (4) Under the pilot program, the department may award compensation for eligible dam-  
39 ages or eligible preventive measures to an eligible person who demonstrates that the eligible  
40 person:

41 (a) Has previously used best preventive measures to prevent wildlife damage on the eli-  
42 gible land.

43 (b) Has not intentionally or unreasonably created circumstances that attract wildlife that  
44 cause damage to the eligible land or otherwise encourage wildlife damage on the eligible land.

45 **SECTION 3.** To implement the wildlife damage and compensation pilot program described

1 in section 2 of this 2025 Act, the State Department of Agriculture shall adopt rules to es-  
 2 tablish:

3 (1) A process for enrolling in, and periodically renewing enrollment in, the pilot program  
 4 that includes verification of whether:

5 (a) The person qualifies as an eligible person.

6 (b) The person has implemented best preventive measures on the eligible land.

7 (c) The person has intentionally or unreasonably created circumstances that attract  
 8 wildlife that cause damage to the eligible land or otherwise encourage wildlife damage on the  
 9 eligible land.

10 (2) A process for submitting claims, including evidence of eligible damage that includes  
 11 a finding by an agent of the department, an agent of the United States Department of Agri-  
 12 culture or a crop adjuster licensed under ORS 744.531 (3) that wildlife caused or probably  
 13 caused the eligible damage.

14 (3) A process for assessing claims that describes:

15 (a) How the State Department of Agriculture will assess the cost of eligible damage.

16 (b) The role and selection of professional damage assessors.

17 (c) Whether, or under what circumstances, an eligible person may be reimbursed for the  
 18 cost of third-party damage assessment as part of compensation for eligible damages.

19 (4) Methods for determining:

20 (a) Compensation amounts for eligible damage, such as a net loss in production at the  
 21 end of a growing season relative to regional averages and anticipated loss rates.

22 (b) Compensation amounts for reasonable time spent on nonlethal wildlife deterrence  
 23 activities such as hazing.

24 (c) How to reduce the amount of a claim that has been partially compensated by a private  
 25 insurance company.

26 (d) Maximum amounts for compensation for eligible damages and eligible preventive  
 27 measures.

28 (5) A process for prioritizing awards of compensation to eligible persons who:

29 (a) Have made significant efforts to prevent or mitigate wildlife damage.

30 (b) Allow persons licensed by the State Department of Fish and Wildlife to take wildlife  
 31 that cause damage on the property that is affected by the wildlife damage.

32 (6) A definition of the term “best preventive measures” that lists ways to deter wildlife  
 33 damage, including the provision of hunting access, either to the public or to individuals by  
 34 permission, for lethal take of wildlife, consistent with applicable laws and rules.

35 (7) The terms for awarding compensation for barriers, such as fencing, including requir-  
 36 ing:

37 (a) In-kind funds from the eligible person.

38 (b) That the eligible person demonstrate previous use of repellants, hazing or temporary  
 39 barriers and that those measures did not adequately prevent wildlife damage.

40 (c) That the eligible person participate in available federal programs that restore or im-  
 41 prove wildlife habitat.

42 **SECTION 4.** (1) The Wildlife Damage Prevention and Compensation Fund is established  
 43 in the State Treasury, separate and distinct from the General Fund.

44 (2) The Wildlife Damage Prevention and Compensation Fund consists of moneys appro-  
 45 priated by the Legislative Assembly for deposit in the fund, grant funds received by the State

1 Department of Agriculture, and other moneys appropriated, allocated, deposited or trans-  
2 ferred to the fund by the Legislative Assembly or otherwise.

3 (3) Moneys in the fund are continuously appropriated to the department for purposes  
4 described in section 2 of this 2025 Act.

5 **SECTION 5.** (1) Sections 1 to 4 of this 2025 Act are repealed on January 2, 2030.

6 (2) Any moneys remaining in the Wildlife Damage Prevention and Compensation Fund  
7 established under section 4 of this 2025 Act that are unexpended and unobligated on the date  
8 specified in subsection (1) of this section shall revert to the General Fund.

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10 **REPORTS**

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12 **SECTION 6.** As soon as there are sufficient data and no later than September 15, 2028:

13 (1) The State Department of Agriculture shall report, in the manner prescribed in ORS  
14 192.245, to committees or interim committees of the Legislative Assembly related to natural  
15 resources on the wildlife damage prevention and compensation pilot program described in  
16 section 2 of this 2025 Act. The report must include:

17 (a) A summary of pilot program descriptive statistics, including but not limited to:

18 (A) The number of persons participating in the pilot program.

19 (B) The types and quantities of damage reported under the pilot program.

20 (C) The amounts awarded under the pilot program.

21 (b) An evaluation of successes and challenges in administering the pilot program.

22 (c) A proposal for a permanent wildlife damage and compensation program.

23 (d) An evaluation of the benefits and drawbacks of transitioning to a program that is  
24 partially administered by counties.

25 (2) The State Department of Fish and Wildlife shall report, in the manner prescribed in  
26 ORS 192.245, to committees or interim committees of the Legislative Assembly related to  
27 natural resources on the pilot program. The report must:

28 (a) Compare the occurrence of wildlife damage inside and outside, and over time within,  
29 the pilot program areas.

30 (b) Analyze changes to hunting opportunities within the pilot program areas.

31 (c) Summarize information on wildlife population sizes throughout this state.

32 (d) Summarize any available information on wildlife distribution throughout this state.

33 (e) Describe the types of data that would assist with better understanding wildlife dis-  
34 tribution throughout this state and how the data might be obtained.

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36 **APPROPRIATION**

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38 **SECTION 7.** In addition to and not in lieu of any other appropriation, there is appropri-  
39 ated to the State Department of Agriculture, for the biennium beginning July 1, 2025, out  
40 of the General Fund, the amount of \$600,000, for deposit in the Wildlife Damage Prevention  
41 and Compensation Fund established by section 4 of this 2025 Act, to be expended as described  
42 in section 4 of this 2025 Act.

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44 **CAPTIONS**

1       **SECTION 8.** The unit captions used in this 2025 Act are provided only for the convenience  
2 of the reader and do not become part of the statutory law of this state or express any leg-  
3 islative intent in the enactment of this 2025 Act.

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**EFFECTIVE DATE**

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7       **SECTION 9.** This 2025 Act takes effect on the 91st day after the date on which the 2025  
8 regular session of the Eighty-third Legislative Assembly adjourns sine die.

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