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Representative Brian Clem, Chair
Members of the House Committee on Agriculture and Natural Resources
Re: HB 3228 State Wildlife Policy

The Oregon Wildlife Policy, found at ORS 496-012, provides the Oregon Department of Fish and Wildlife (ODFW) and the Oregon Fish and Wildlife Commission (OFWC) with logical and scientifically supported direction for management of fish and wildlife resources in Oregon. The purpose of this policy is to “prevent the serious depletion of any indigenous species.” It is the core direction that organizes management decisions by ODFW and the OFWC for the entire state.

“Serious depletion” is defined by the ODFW, in ORS 635-007-0501-(56), as a “significant likelihood that the species management unit will become threatened or endangered.” It is certainly in Oregon’s interest to practice conservation management so that protection of fish and wildlife from extinction and listing through state and federal Endangered Species Acts. The Oregon Wildlife Policy secures the stream of public benefits from fish and wildlife resources.

ODFW has sought clarification of the Oregon Wildlife Policy several times from the Oregon Department of Justice regarding meaning of the policy. Does it require the agency to balance protection and utilization of native species of fish and wildlife or does it establish a priority for conservation so that utilization is possible?

The attorney general has repeatedly provided consistent advice, in 1997 and 2002, that the “Department’s overriding obligation is to management to prevent serious depletion of any indigenous species, which thereby enables the Department and the Commission to provide optimum recreation and aesthetic benefits.”

The purpose of HB 3228 is to make it clear to everyone that preventing serious depletion is the overriding obligation for ODFW and OFWC so that public benefits are sustainable.

Resolving the ambiguity in the Oregon Wildlife Policy is a critical policy and The Conservation Angler asks you to solve this ambiguity by adopting HB 3228 so that it is clear to ODFW, the OFWC and to the public that public benefits are secured through this policy.

Sincerely,

David A. Moskowitz

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