



## **Fish and Wildlife Commission Bans Import of Live Deer and Elk Wolf Management Petitions Denied**

CORVALLIS — The Oregon Fish and Wildlife Commission took emergency action Friday to temporarily ban the importation of live deer and elk into Oregon because of the growing risk of chronic wasting disease to wild herds.

The Commission also took action to prohibit the import of hunter-harvested deer and elk carcasses, except for boned meat or processed cuts of meat, hides, and heads that have no part of the spinal column or brain attached.

The temporary rule takes effect immediately and will last for six months. The Commission also expressed plans to enter into permanent rule making. The temporary rule allows time for further study and coordination to occur with other agencies, game ranchers, the agricultural industry and the public.

The seven-member Commission is the rule-making body for the Oregon Department of Fish and Wildlife. The panel meets monthly to set policy and adopt administrative rules.

Friday's emergency action was made in response to a petition submitted by a coalition of hunting, conservation and animal rights organizations calling itself the 'MADElk Coalition.' The petition, filed in June, called for the immediate ban on the import of live elk.

However, the Commission chose to expand the temporary rules to include all live deer, elk and other ungulate species, with the exception of reindeer, and to restrict the import of carcasses. The decision in favor of the expanded language came after presentations and testimony by Andrew Clark, state veterinarian for the Oregon Department of Agriculture, and Don Whittaker, ODFW wildlife biologist, who returned Thursday from a national conference on chronic wasting disease. Both Clark and Whittaker summarized the growing research on chronic wasting disease (CWD), which suggests that much remains unknown about its transmission and that prevention is the best treatment method.

CWD is found in free-ranging and captive mule deer, white-tailed deer and elk in Colorado, Wyoming, Nebraska, Kansas, South Dakota, Montana, Oklahoma, Wisconsin, New Mexico, Alberta and Saskatchewan. The untreatable disease leads to progressive loss of body condition, behavioral changes, excessive salivation and death. In the later stages, small holes in the brain tissue of affected animals are visible with a microscope, producing a spongy look characteristic of transmissible spongiform encephalopathy (TSE). Similar TSE diseases exist in domestic sheep (scrapie), cattle (bovine TSE or mad cow disease), and humans (Crueutzfeldt-Jakob disease).

Researchers believe an abnormal type of prion protein serves as the disease agent, but the origin and transmission of CWD are not clearly defined. No live animal test exists for elk. A newly developed live animal test for mule deer is not feasible for use in large wild populations.

### **Commission Votes to Deny Wolf Management Petitions**

The Commission voted unanimously Friday to deny two petitions on wolf management because a legal review found that neither petition met the procedural requirements identified in Oregon Administrative

Rules.

However, said Commissioner Marla Rae of Salem when making the motion for the vote, "This is certainly not the end of the discussion on wolves in Oregon."

Wolves are listed as endangered under both the state and federal Endangered Species Act. While no established wolf population is known to exist in Oregon, at least three have been documented in the state. One was returned to Idaho, one killed by a car and one found dead.

One petition, filed by a coalition of environmental organizations, called for ODFW to adopt survival guidelines for wolves and to determine the role state agencies can play in wolf recovery.

In a memo to the Commission, Assistant Attorney General Bill Cook provided a detailed analysis of his findings regarding the two petitions. ODFW's administrative rules require the Commission to adopt survival guidelines only for those species added to the endangered species list after 1995, Cook's memo said. Wolves were included on the state's endangered species list in 1987 when the Legislature enacted the statute.

Cook noted that the Commission has the flexibility to adopt survival guidelines or use other management tools for those species listed under the state's ESA before 1995. However, no requirement to do so exists.

Another petition, filed by the Oregon Cattlemen's Association, called for the removal of wolves from the endangered species list because the species has been extirpated from Oregon.

Cook's analysis noted that ODFW's administrative rules require that any petition to remove species from the endangered species list must include discussions on the existence, destruction or modification of habitat; the natural reproductive potential; and other factors affecting the existence of the species. The petition filed did not include this information, Cook's memo said.

The Commission has held two informational workshops on wolves this year. Two more are planned, with the next one scheduled for Oct. 9 in Portland. More information on the agenda will be distributed in the next several weeks.

### **2002-03 Game Bird Hunting Regulations Adopted**

The Commission adopted a liberal 107-day season for duck hunters this fall because recent population surveys found that adult numbers can sustain a long season. However, the Commission acknowledged declining numbers of some species and prohibited hunting on canvasbacks and limited hunting on pintails to the first 60 days of the season.

Departing from recent years, the duck season in eastern Oregon will open Oct. 5, one week earlier than western Oregon.

The Commission also adopted rules, with few changes from last year, for the harvest of other waterfowl and upland birds. Printed regulations will be available at license agents by the end of August.

The following seasons were adopted:

**Duck:** Western Oregon and Columbia Basin counties (Zone 1) will be open Oct. 12 — 20, 2002, and Oct. 23, 2002 — Jan. 26, 2003. Pintail harvest is allowed through Dec. 12 in Zone 1. The remainder of eastern Oregon counties (Zone 2) will be open Oct. 5 — Dec. 3, 2002, and Dec. 13, 2002 — Jan. 26, 2003. Pintail harvest is allowed through Dec. 3 in Zone 2. In addition, a youth hunt for those 15 and younger was established for Sept. 21-22.

**Fall Goose:** A 100-day season was established between Oct. 12, 2002 — Jan. 26, 2003. The seasons generally coincide with duck seasons in most areas of the state. A December closure also was established to stay within the 100-day framework and to allow late season hunting. In northwest Oregon, a 107-day

goose season was established for hunters who pass an identification test. The northwest season is managed to reduce goose depredation on farmlands. In addition, a statewide September Canada goose season was established for Sept. 7-20, 2002, for western Oregon and Sept. 7-13, 2002, for eastern Oregon.

**Black Brant:** Nov. 2 — 15, 2002.

**Common Snipe:** Oct. 5 — Nov. 22, 2002 and Dec. 28, 2002 — Feb. 23, 2003.

**Coot:** Concurrent with duck season.

**Sage Grouse:** A Sept. 7-11, 2002, controlled hunting season was established with 1,250 tags. The Wagontire unit was split into two hunts to better distribute hunters and the total number of tags reduced by 15.

**Turkey:** A general season was established Oct. 15 — Nov. 30, 2002. The number of available tags was doubled to 2,000. They are sold on a first come, first served basis. A spring controlled hunt was established April 15 — May 31, 2003.

Seasons also were established for crow, band-tailed pigeon, and mourning dove, fee pheasant hunts, and falconry.

## **Commission Hears Summary of Draft Plans for Deer and Elk Management**

In preparation for adoption of three new plans in December, the Commission heard summaries of the draft plans. Committees composed of both ODFW staff and members of the public drafted the three plans, which are now out for public review.

The black-tailed working group identified declines in hunter success and the appearance of population declines. Potential factors for the population decline include disease, predation, poaching, hunting, and habitat changes with reduced logging and development. The committee identified the current deer population, increasing age of hunters, road closures, maturing forests and changing deer behavior as reasons that could be contributing to declining hunter success.

Recommendations in the draft black-tailed plan include: maintain the general rifle season with the option of modifying seasons in some areas due to biological reasons, maintain the general archery season concurrent with elk, minimize the opportunity for hunters to harvest more than one black-tailed deer, and improve black-tailed deer data collection and information.

The mule deer working group identified concerns with habitat degradation, harassment of mule deer, increased archery hunter densities, population data, declining hunter opportunities, illegal harvest, hunter management and ethics, disease, and game farms. The group developed potential strategies to address the concerns.

The elk working group noted that elk populations have largely stabilized in recent years with some local declines or increases. Hunter success has increased in some areas and declined in others. However, calf ratios have declined recently in many areas of eastern Oregon. The elk working group developed potential strategies to address the following concerns: habitat degradation, need for cooperation with land owners, hunter access to private lands, poor age distribution and bull ratios, predation, hunter management, and budget cuts.

The draft plans and a public meeting schedule is posted to the ODFW Web site at [www.dfw.state.or.us](http://www.dfw.state.or.us) .

## **Temporary Rule Adopted to Assist with Wildfire Restoration**

The Commission adopted an emergency rule that will allow for quick approval of funding to assist private landowners with re-seeding after wildfire to help prevent erosion and provide wildlife forage.

The Commission temporarily delegated authority to the ODFW director to approve actions of the Access and Habitat (A&H) Board. The A&H program provides grants to enhance game habitat and hunter access. It is funded through a surcharge on hunting licenses.

The A&H Board has committed to dedicating \$100,000 this fall and winter for grants to private landowners whose lands burned during this year's fire season. The temporary rule was necessary to allow landowners and agencies to react quickly and to plant seeds at a time when germination can occur. Without the temporary rule, final approval would require Commission approval during a regular monthly meeting.

The A&H Board will hold a public meeting not more than weekly to gain input before making decisions. In addition, ODFW's Wildlife and Habitat divisions will work with the Oregon Department of Forestry to develop guidance for the A&H Board to use when making decisions.

### **Pot Limit Control Date Set for Commercial Dungeness Crab Fishery**

After hearing testimony opposed to a staff proposal for a one-year moratorium on the increase of crab pots used in a commercial fishery, the Commission decided to forgo taking action. The Commission did, however, approve an Aug. 14, 2001 control date for potential future restrictions to commercial crab fishermen, and a requirement that fishermen declare the number of pots to be used prior to fishing each year

With reduced commercial fishing opportunities for other species and in other areas, participation in Oregon's dungeness crab fishery has increased -- both in number of participants and number of pots fished. Discussions will continue with the crab industry on the issue.

### **Angling Rules for 2003**

The Commission was expected to adopt the angling rules for 2003 Friday evening. A news release on the approved rules will be sent out next week.

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