

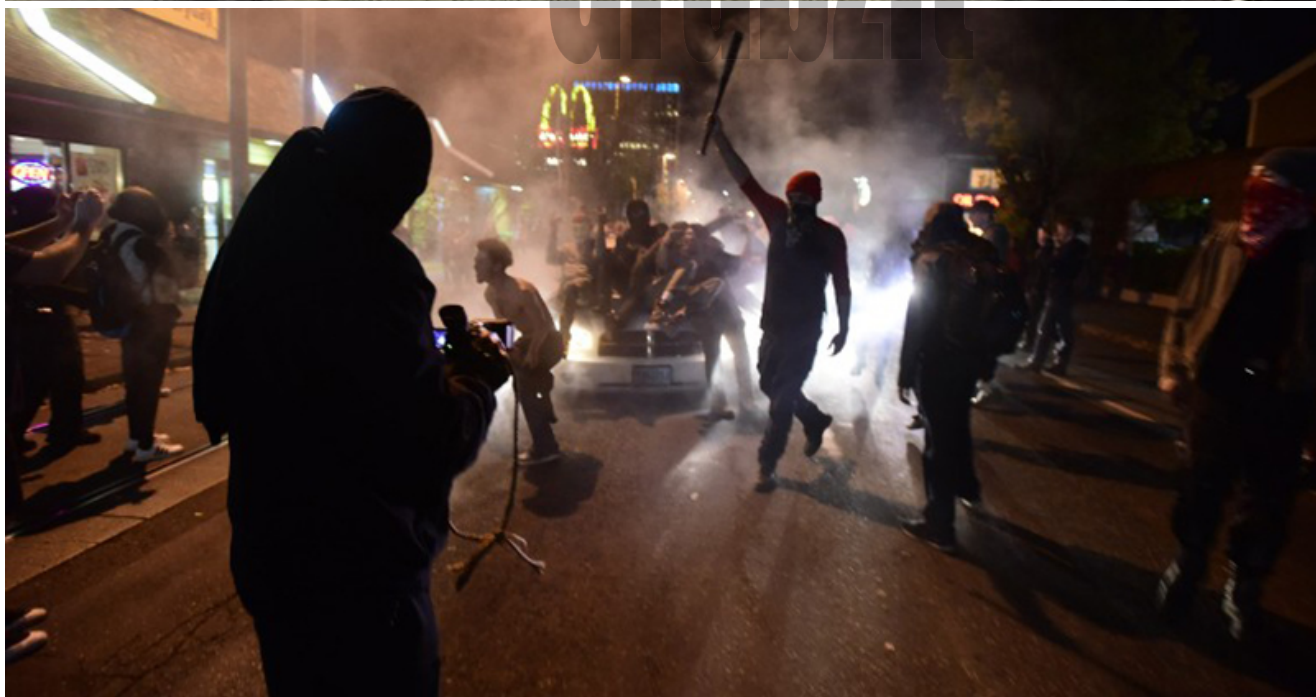
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2015 ORS § 498.014¹

Taking of wolves by State Department of Fish and Wildlife to address chronic depredation

- • **taking by landowners**
- • **rules**

(1) As used in this section:

(a) Chronic depredation:

(A) Means at least four confirmed qualifying incidents of depredation by wolves upon livestock or working dogs within a consecutive six-month period during phase 1 of the Oregon Wolf Conservation and Management Plan adopted by the State Fish and Wildlife Commission; or

(B) Has the meaning given that term by the commission for periods of time after the expiration of phase 1 of the Oregon Wolf Conservation and Management Plan adopted by the State Fish and Wildlife Commission.

(b) Livestock has the meaning given that term in ORS [610.150 \(Wolf predation loss compensation program\)](#).

(c) Working dog has the meaning given that term in ORS [610.150 \(Wolf predation loss compensation program\)](#).

(2) Nothing in the wildlife laws prevents the State Fish and Wildlife Commission or the State Department of Fish and Wildlife from lethally taking wolves to address chronic depredation pursuant to rules adopted by the commission, regardless of the management status of wolves under the Oregon Wolf Conservation and Management Plan adopted by the commission.

(3) Pursuant to rules adopted by the State Fish and Wildlife Commission, a person who owns or lawfully occupies land may take wolves on land that is owned or occupied by the person, without a permit issued by the commission, if:

(a) The person has not used bait to attract wolves or taken any other intentional action to attract wolves other than engaging in regular and ordinary livestock management practices;

(b) The taking is allowed under the federal Endangered Species Act of 1973 (P.L. 93-205, 16 U.S.C. 1531 et seq.); and

(c) The wolves are:

(A) Caught in the act of biting, wounding or killing livestock or working dogs; or

(B) Caught in the act of chasing livestock or working dogs. If the taking in response to chasing occurs during phase 1 of the Oregon Wolf Conservation and Management Plan adopted by the commission:

(i) A person must have first undertaken nonlethal actions as specified by the State Department of Fish and Wildlife to minimize conflict between the wolves and livestock or working dogs; and

(ii) The taking must occur during a time period in which the department has determined a situation of chronic depredation exists.

(4) A person who is a landowner or a lawful occupant of land may authorize another person to enter the land for the purpose of taking wolves under subsection (3) of this section on behalf of the landowner or occupant. The authorization must be in writing and must include:

- (a) The date of issuance of the authorization;
- (b) The name, address, telephone number and signature of the person granting the authorization;
- (c) The name, address and telephone number of the person to whom the authorization is granted; and
- (d) The expiration date of the authorization, which may not be later than one year from the date of issuance of the authorization.
- (5) The person taking wolves on behalf of a landowner or lawful occupant under subsection (4) of this section must be carrying the written authorization when wolves are taken.
- (6) If a person takes wolves under the provisions of this section, the person shall report the taking to the State Department of Fish and Wildlife within 24 hours and make all reasonable efforts to preserve, and to keep undisturbed, the scene of the taking. The department and the Oregon State Police shall immediately investigate the report of the taking to determine compliance with the provisions of this section. [2013 c.626 §2]

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[Annotations Related](#)

Chapter 498

Notes of Decisions

Sufficiency of uniform game citation is governed by [former] ORS [153.720](#), not by statutes applicable to indictments. *State v. Herrera*, 152 Or App 22, 952 P2d 566 (1998)

Related Statutes³

- [498.012](#)
[Taking wildlife causing damage, posing public health risk or that is public nuisance](#)

¹ Legislative Counsel Committee, *CHAPTER 498—Hunting, Angling and Trapping Regulations; Miscellaneous Wildlife Protective Measures*, https://www.oregonlegislature.gov/bills_laws/ors/ors498.html (2015) (last accessed Jul. 16, 2016).

² Legislative Counsel Committee, *Annotations to the Oregon Revised Statutes, Cumulative Supplement - 2015, Chapter 498*, https://www.oregonlegislature.gov/bills_laws/ors/ano498.html (2015) (last accessed Jul. 16, 2016).

³ OregonLaws.org assembles these lists by analyzing references between Sections. Each listed item refers back to the current Section in its own text. The result reveals relationships in the code that may not have otherwise been apparent.

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