

May 24, 2024

Oregon Fish and Wildlife Commission
Oregon Department of Fish and Wildlife
4034 Fairview Industrial Drive SE
Salem, OR 97302

RE: Request to amend OAR 635-050-0070, Oregon Furbearer Trapping and Hunting Regulations

Dear Commissioners:

Climate changes in the Pacific Northwest are accelerating, increasing risk and harm to wild and human communities, and furthering biodiversity losses. Therefore, we, the undersigned Oregon scientists, formally ask that the Oregon Fish and Wildlife Commission (Commission) amend OAR 635-050-0070 during its June 2024 meeting as it pertains to where beavers (*Castor canadensis*) may be trapped or hunted within the state in the following manner:

Close all Federally Managed Public Lands (FMPLs) in Oregon, with the exception of sovereign Tribal lands, to recreational and commercial beaver trapping and hunting.

We ask that this closure begin immediately and be considered permanent for the foreseeable future given the rapid changes brought about by climate change and biodiversity loss, and the magnitude of restoration needed in our stream, riparian, and wetland systems. Careful monitoring of the expanding beaver presence on FMPLs will provide the information needed to make informed future decisions about whether to reopen areas to beaver trapping and hunting and, if so, when and for how long in order to avoid jeopardizing the gains made.

The current rule summary language related to OAR 635-050-0070 in the **Notice of Proposed Rulemaking** filed with the Oregon Secretary of State on April 22, 2024 is below. It is broad and allows the Commission to make a closure decision of this magnitude in its June 2024 meeting when the Furbearer regulations are again open for changes.

RULE SUMMARY: Amend rules related to furbearer harvest, bag limits, area closures, reporting, residency, and transaction of pelts for the 2024-2025 and 2025-2026 furbearer harvest and pursuit seasons and amend rules regarding trapping on department lands.

Below are documents we are submitting in support of the closure request. Some documents are new, while others are part of the public record related to the June and November 2020 requests by citizens and conservation groups for a beaver trapping and hunting closure on federally managed public lands.

1. Science Letter of Support for a closure (June 2020)
2. Oregon July drought maps (2020-2023)
3. Climate Adaptation Library (developed by USFS, NPS and other organizations)
4. Bridge Creek, Oregon photo series and description of activities (June 2020)
5. Beaver-related reference list
6. Ripple et al. (2022). World Scientists' Warning of a Climate Emergency.
7. Fairfax et al. (2024). Impacts of beaver dams on riverscape burn severity during megafires in the Rocky Mountain region, western United States.
8. Jordan, C. and E. Fairfax (2022). Beaver: The North American freshwater climate action plan.
9. Niemi et al (2020). Economic benefits of beaver-created and maintained habitat.

A decision by the Commission to protect beavers on FMPLs would

- Set in motion a high-return, low-cost, nature-based climate solution by removing the one mortality cause that ODFW directly controls.
- Directly address goals and objectives of the 2016 Oregon Conservation Strategy, ODFW Climate and Ocean Change Policy, numerous NOAA recommendations, and support ODFW's mission.
- Help meet a recent U.S. Environmental Protection Agency (EPA) final rule that *“establishes a clear and consistent national framework for EPA and states to consider Tribal treaty and reserved rights when establishing Water Quality Standards under the Clean Water Act...With this action, EPA is ensuring that water quality standards are established taking into consideration Clean Water Act-protected aquatic and aquatic-dependent resources where Tribes hold and assert rights to those resources under federal treaties, statutes, or executive orders.”*¹
- Demonstrate a true commitment by ODFW and the state of Oregon towards addressing tribal treaty and reserved rights related to salmon and other first nation foods.
- Create conditions for Oregon's human and wild communities that allow them to navigate wildfire, drought, and climate change more successfully.
- Allow limited restoration dollars to be more strategically and effectively spent in areas where beavers cannot do the restoration work (e.g. levee removal, deeply incised streams).

We understand this closure request may be awkward for the Commission. As Commissioners, you look to ODFW agency staff for guidance on matters of policy. However, we ask that you recognize that ODFW and scientists are asking different questions related to beavers. The result of these different questions is different answers, each answer correct in the context of the question asked.

ODFW asks “Are there enough beavers on FMPLs for recreational beaver trapping and hunting opportunities?” The answer to their question, from the perspective of recreational opportunities, is “yes”. Our focus, however, is not recreational opportunities, but the need to unleash rapid ecological restoration, help communities gain the large economic benefits that beaver habitat will bring, and in the process, help sustain community needs such as water security. Thus, our questions are different. We ask:

1. Are there enough beavers on FMPLs to restore and rejuvenate streams, riparian areas, and wetlands and lead to the recovery of multiple ecological and economic benefits that have been missing for decades, as well as assist in maintaining biodiversity and increasing carbon sequestration in a changing climate?
2. Are there enough beavers on FMPLs such that there are measurable large-scale increases in the quality and connectivity of fish and wildlife habitat, improved water quality and security, and recovery of historical wetlands occurring on FMPLs, changes that are required to help improve salmon runs and create wildfire and drought-resilient landscapes?

The answer to these questions is clearly “no”. It is these questions and their answers that we ask you consider when deciding on the closure request given that the habitat that beavers build and maintain are capable of changing the answers to these two questions from “no” to “yes”.

¹ Environmental Protection Agency, May 2, 2024 press release

We understand that 32 million acres of FMPLs, or approximately half the state, would be closed to beaver trapping and hunting, a recreational activity pursued by roughly 172 people a year² in a state of 4.28 million people. However, we hope that the Commission and those who trap and hunt beavers on FMPLs see the importance of this step in helping Oregonians be as climate ready and resilient as possible given the extensive water, wildfire, fisheries, and wildlife benefits beavers would bring to communities as they restore thousands of miles of degraded stream habitat and expand wetlands. Also, our request to amend OAR 635-050-0070 applies only to FMPLs. Beaver trapping would still be possible on the other half per State and private land allowances.

In 2023, beavers ceased to be considered a “predatory animal” on private lands with passage of HB 3464. Passage came with bipartisan support and signaled a major change in Oregonians’ understanding of the importance of beaver to our collective well-being. Your decision to enact a beaver trapping and hunting closure on FMPLs is a vital next step if beavers are to undertake the needed stream, riparian, and wetland restoration. Delay only allows conditions to further deteriorate, making restoration ever more difficult and risk and harm to our diverse communities ever greater.

Thank you for your consideration.

Sincerely,

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² Oregon Department of Fish and Wildlife, 2022–2023 and 2023–2024 Oregon Furbearer Information Summary and Regulation Proposals, June 17, 2022, p. 10

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Note: *Affiliations provided for informational purposes only to indicate the credentials of the cosigners and do not necessarily reflect the official policy or position of an agency or university.*