

January 26, 2021

House Committee on Agriculture & Natural Resources

Testimony in Support of HB 2069: Establishing the Sage-Grouse Mitigation Program In-Lieu Fee Fund

Submitted by: Amelia Porterfield, Senior Policy Advisor

---

Chair Witt and Members of the Committee:

For the record, my name is Amelia Porterfield, Senior Policy Advisor with The Nature Conservancy in Oregon. Thank you for the opportunity to testify. I am here today to express support of HB 2069, which would establish a Sage-Grouse Mitigation Program In-Lieu Fee Fund at the Oregon Department of Fish & Wildlife. This concept last appeared before the legislature in the 2020 session as HB 4091, when it passed unanimously through the House Natural Resources Committee, on the House Floor, and in the Senate Environment and Natural Resources Committee before dying while awaiting a floor vote in the Senate. We are pleased to see this concept return so early in the 2021 session.

The Nature Conservancy (TNC) is a non-partisan, science-based organization committed to conserving the lands and waters on which all life depends. In Oregon, TNC has more than 80,000 supporters and members in every county, and we manage lands and waters across the state. On Oregon's rangelands, we guide grazing, weed treatments, prescribed burning, juniper removal, and habitat restoration efforts on our own land and in cooperation with neighboring landowners.

Stabilizing and increasing populations of the greater sage-grouse across its range is a top priority for The Nature Conservancy. Sage-grouse populations have been in decline over several decades as a result of poor habitat condition and other threats, with current sage-grouse population numbers at less than half of the statewide objective. The lack of effective restoration is *the* critical challenge to reversing negative trends that impact people and nature in eastern Oregon.

TNC has been investing in efforts to innovate new approaches to habitat restoration in the sage-steppe. We are a founding member and active participant in the Sage-Grouse Conservation Partnership (SageCon) and preceding collaborative efforts co-convened by current and former Oregon Governors and a suite of federal and state agencies such as the Oregon Department of Land Conservation & Development (DLCD) and Oregon Department of Fish & Wildlife (ODFW).

Collaborative conservation and the Oregon Sage-Grouse Action Plan administered by ODFW, including affording regulatory certainty and requiring compensatory mitigation, were the

bedrock of what kept the greater sage-grouse off the federal Endangered Species Act list, allowing the State of Oregon to continue managing the species without federal regulatory intervention.

HB 2069 guarantees that a key SageCon recommendation can come to life by ensuring greater protections for money within the Sage-Grouse Mitigation Program by guaranteeing funds to be utilized solely for the purposes of sage-grouse mitigation. It also provides the Mitigation Program the flexibility to put In-Lieu Fee (ILF) funds into the state's intermediate-term pool, allowing the fund to lower costs because of better investment rates.

Together, the added protection and investment flexibility should help make the ILF component of the Mitigation Program more palatable to developers and permitting entities. This is a fiscally responsible measure that should inspire developers, landowners and permittees to participate in sage-grouse conservation efforts.

HB 2069 remains a critical step towards building a successful Mitigation Program, and we urge the committee to move it forward this session.

Thank you.