

April 20, 2021

To: Natural Resources Subcommittee, Joint Ways and Means Committee

RE: Oregon Department of Agriculture (ODA) Budget, Native Plant Conservation Program

Co-Chairs Rep. Reardon and Senator Taylor:

I am concerned about Oregon's native plants and natural areas. I am a professional botanist/plant ecologist, long-time member of Native Plant Society of Oregon, and supporter of Stop B2H. The lack of General funds for the Native Plant Conservation Program (hereafter NPCP) is deeply concerning for several reasons.

The NPCP was mandated by the unanimous passage of the 1987 State Endangered Species law to protect our state rare plant species. The Director of Agriculture has the responsibility to protect and conserve Oregon native plant species of this state that are threatened or endangered (per OR 564.105).

My first item of concern is that Oregon's T & E species list has NEVER been updated since its original inception back in 1988. It is my understanding that there was an effort in 2017 to update, but due to lack of funds was not completed. ORS 496.176 (8) calls for the list is to be reviewed every 5 years, so the work of 2017 is now outdated. There may be some which no longer need that level of protection. More importantly, due to no updates, species which should have been added to the list and which need protection are in dire straits. We are now in an unprecedented climate crisis, as acknowledged by the Governor's Climate Plan. Oregon's T& E list must be updated to reflect the risks for plant species which are particularly vulnerable. Personally I encountered this situation when advocating for the *Trifolium douglasii*, an ORBI list 1 and Federal Species of Concern, which the Oregon Department of Energy claims warrants zero protection from B2H transmission line, since it is not on Oregon's list—the list which has seen no updates for 33 years!

As others have noted, it is not enough to have Federal funds. Federal funds can only be used on federally-listed plant species and projects associated with those species. Without some level of state funding, those plant species and projects that involve state-listed only species are not being worked on by the Native Plant Conservation Program.

Another critical role of the Native Plant Conservation Program that is not happening--is to provide comments on behalf of the citizens of Oregon on projects under consideration by State agencies and how they may impact native plant conservation and state-listed species. Examples of such projects include, but are not necessarily limited to, transmission lines, natural gas lines, transportation projects (road, rail, and airline), wind and/or solar farms, port improvement projects, etc., along with the infrastructure associated with these projects. At this time, no comments are being provided on what can only be assumed is due to a lack of funding.

I was incredulous to learn that ODA Native Plant Conservation Program had made no comments on the B2H mega transmission line project despite its process continuing for over 10 years. Similarly, and perhaps unaccountably? no comments were provided by Oregon's Natural Areas Program during the entire B2H application process.

This complete lack of Comments or consideration by State agencies that represent native plants is particularly vexing considering that within the last 2 years Idaho Power's application to Oregon

Department of Energy have shifted the line to further impact private land managed as a natural area with rare species, and containing unique assemblages of species, as well as a City park with a special wetland of importance to listed species and migratory birds, both of which should have been classified as Protected Areas early in the process. Not to mention further impacts to Oregon Trail, sage-grouse habitat and the fact that the route wipes out more acres of native forest than any other alternative! This shift disregards the Federal ROD of 2018; no explanation was ever given by Idaho Power, with apparently no questions asked by ODOE. This experience has opened my eyes to how flimsy protections are for all non-federal lands.

Staffing for the NPCP program is down to essentially one-person. The recent retirement of the director for the program was not filled and the current staff is not adequate to support the program to meet its obligations as mandated by law. One person cannot cover the entire duties of the NPCP. The Plant Conservation Program has not been adequately funded to fill its obligation to do updates, provide consultation and scientific take and recovery permits involving state listed plant species and to protect our rare species.

I specifically request of the State Legislature: We absolutely MUST find a way to protect Oregon's rare plant species, the unique assemblages of species, and the particular plant associations which are under-represented in the Natural Areas Program. Despite having a Native Plant Conservation Program and a Natural Areas Program—our botanical treasures are in grave danger. The combination of lack of funding and lack of protection -- even for those clearly recognized by these and other agencies—is simply appalling.

Fully funding the NPCP would be a first step. We should do this, and then go beyond to integrate Oregon's programs which deal with native plants and make them stronger, and ask Oregon's other agencies to communicate and cooperate with them.

Respectfully submitted,

Susan Geer

906 Penn Ave.

La Grande OR 97850