



## *Burns Paiute Tribe*

*Natural Resources Department*

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January 25, 2023

Oregon State Legislature  
House Committee on Agriculture, Land Use, Natural Resources and Water  
900 Court St. NE  
Salem, Oregon

*Re: Support for HB 2687 for the issuance of public applicator licenses to employees of federally recognized Indian tribes*

Dear Committee Members:

The Burns Paiute Tribe's (Tribe, BPT) Natural Resources Department (Department) supports the proposed legislation that would allow the Oregon Department of Agriculture (ODA) to issue public applicator licenses to employees of federally recognized Indian tribes for purposes of pesticide application on certain lands adjacent to tribal lands. The proposed legislation is a positive and imperative step for BPT to complete work with our federal and state partners to protect and enhance natural resources in areas of significance to the Tribe. As ODA statute is currently written the Tribe cannot fulfill its co-management obligations to protect and conserve sensitive species in areas adjacent to tribal lands. There are several significant on-going tribally-lead projects that will be shortchanged without tribal employees' ability to work in tandem with their federal, state and county counterparts to conduct cross-boundary control of invasive species. Invasive species don't recognize fence lines. Additionally, tribal staff have a high level of training and technical knowledge that are important to completing these projects. Overall, this lack of parity in the statute places the Tribe on unequal footing with its management partners as federal, state and county employees can be issued a public applicator's license through ODA.

Last year was the first year that both ODA and tribal staff became aware that the statutes to issue licenses did not include Tribes or tribal employees. In fact, several tribal employees completed their public applicators license testing before ODA staff discovered they could not issue a license to tribal staff.

ODA and tribal staff met to troubleshoot the issue and through those conversations it was determined by ODA staff that a statute change was necessary. ODA staff were very helpful in determining which parts of the statute needed revision. To correct this issue quickly, we deeply appreciate Representative Owen's willingness to sponsor this legislation to help us all move forward together.

Without these licenses the Tribe's Department is not able to directly co-manage habitat restoration and invasive species control projects on lands adjacent to tribal properties. Our department has spent years cultivating plans with federal and state partners to protect sensitive plant and animal species, in areas of significance to the Tribe. The Tribe has invested over a decade of funding and time to study several types and populations of invasive species, to map their distributions, and to determine the best methods of control. Without these revisions, the employees of the Tribe will not be allowed to participate in the implementation of the projects they've helped to develop from their inception. The Tribe has planned to contribute significant funds to implement these projects and has employees with specialized technical knowledge that are crucial to project implementation.

Allowing tribal employees to be issued an ODA public applicators license will increase the personnel and resources available to treat and control invasive species, an increasingly concerning problem that threatens natural resources throughout Oregon. It will also support tribally-lead and co-managed projects, like those that BPT is a part of, that focus on addressing invasive species in direct competition with ESA-listed native species. It will also support the continued investment of significant time and funding from Tribes for critical invasive species treatments and in the future will ensure that other collaborative conservation projects are viable from the start.

It is very important that tribal employees be able to lead and participate in projects to restore the ecological function to areas and native species populations of great significance to the Tribe. We appreciate the opportunity to propose this change to ODA statute for better equity and eliminating an unnecessary barrier to tribal conservation work and investment.

Sincerely,

A handwritten signature in black ink that reads "Calla Hagle". The signature is written in a cursive, flowing style.

Calla Hagle  
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