MEASURE: HB 3374
EXHIBIT: Y
HOUSE REVENUE COMMITTEE
DATE: 6/8/2011 PAGES: 7
SUBMITTED BY: BOB SALLINGER

June 7, 2011

Dear Members of the House Revenue Committee,

I am writing on behalf of Audubon Society of Portland and our 11,000 members in the Portland Metropolitan Area in strong support of House Bill 3374, the Wild Bird Conservation Act. This legislation is also supported by several other Audubon Chapters across Oregon including Salem Audubon, Lane County Audubon, Kalmiopsis Audubon, Klamath Basin Audubon, and Lincoln City Audubon. We urge your support for this important legislation which will for the first time provide a stable revenue source targeted towards the conservation of Oregon's wild birds.

HB 3374 would add a five cent charge per pound to the sale of wild bird seed, literally a "nickel for the birds." It would generate nearly $2 million/ year which could increase to nearly $4 million with federal match and other matching opportunities. The funds would be spent on wild bird conservation and education projects across Oregon on both rural and urban landscapes, driven by the Oregon Conservation Strategy---a blueprint for conservation recognized as one of the best statewide conservation plans in the country. As an organization with 11,000 members who would be paying this tax, we are extremely sensitive to ensuring that this funding will be well used and after nearly two years of working on this legislation, we are convinced that the conservation strategy based approach, oversight committee, sunset clause, and collaboration with the agency to date are sufficient to ensure that that this will be a well used and very much needed investment in Oregon's natural heritage.

HB 3374 is needed to protect and restore Oregon's' wild bird populations: Many of Oregon's bird species are experiencing significant long-term populations declines. Recent reports by the National Audubon Society, American Bird Conservancy and US Fish and Wildlife Service demonstrate that nearly one out of every four bird species in Oregon has experienced significant population declines over the past 40 years. Some species such as the snowy plover, northern spotted owl and marbled murrelet are already listed under the Endangered Species Act. Others such as the streaked horned lark and sage grouse are currently proposed for listing. Our state bird, the western meadowlark has disappeared throughout much of its historic range. Even backyard favorites like the rufous hummingbird and evening grosbeak, while still common today, have already lost more than 50% of their population and will grow increasingly rare in the future if current trends continue. The Oregon Conservation Strategy has been recognized as one of the best plans in the nation for restoring imperiled habitats and imperiled species, but we need a stable source of funding to allow the plan to be implemented. It is critical that we invest now before additional species become listed rather than wait to have to implement far more costly and disruptive programs after species become listed.

HB 3374 is strongly supported by birders. Over the past two years we have repeatedly gone to our membership and the birding community for feedback on this legislation and have found them overwhelmingly supportive of its passage. Birders want a mechanism to directly support the species that they enjoy. Unlike other recently proposed taxes, the Wild Bird Conservation Act is not a situation when one group is trying to tax another. Rather it is a situation where birders are stepping up and saying "we want to contribute ourselves!"

HB 3374 is supported by bird feeding shops: Audubon has worked directly with the Backyard Bird Shops, Oregon's largest independent chain of bird feeding stores to develop HB 3374. In addition, Portland Audubon runs its own nature store and relies heavily on revenue from the sale of bird seed in order to fund our sanctuary, conservation and environmental education programs. We will be directly affected by

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the impact of this legislation. However we believe strongly that our customers will be willing to pay an extra five cents for the birds and in general will view this a consistent with their commitment to bird conservation.

HB 3374 is a good investment in our economy: Birding brings money into Oregon. It is the fastest growing pastime in the United States. Each year 1.7 wildlife watchers bring more spend more than $1 billion in Oregon--many of those out of state dollars. Our birding trails and wildlife refuges spur local economies with tourism dollars in some of the most economically challenges portions of our state. This grant would continue to promote Oregon as a national birding hotspot. It would also create green restoration jobs. fially it would bring additional revenue into the state through federal matching programs.

HB 3374 is a matter of fairness: Hunters and fishermen have been paying a tax on their recreational equipment which is used to promote game and fish species for nearly a century. As a result those wildlife populations have a stable source of funding and many of those populations have flourished. It is important that everybody who enjoys wildlife step up to help fund preservation of our natural heritage. At a time of shrinking general fund revenue, it is critical that we seek new, stable, creative sources for funding programs like the non-game program at ODFW.

HB 3374 will engage a new generation in conservation: HB 3374 will include a mix of restoration and education projects across our rural and urban landscapes. Part of the focus of HB 3374 is to reach out to new audiences, including historically underserved audiences to get them engaged in conservation in a proactive, constructive manner. One of the cool things about birds is that there is a way for people to become engaged in conservation from the most urban backyard to our rural communities to our wildest landscapes.

We urge you to vote in support of HB 3374 and move it forward in this session. It was conceived of by the bird feeding industry (Backyard Bird Shops) and is supported by the broad conservation community, other natural resource interests and most importantly by the public which would be paying a "nickel for the birds." It is good for the environment, our economy and our communities. Some may ask how we can do something like this in a down economy; the answer that these are exactly the times when we can least afford not to take advantage of these types of opportunities.

Thank your for your consideration of HB 3374

Bob Sallinger

Bob Sallinger
Conservation Director

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PortlandTribune

'Nickel for the birds' would boost habitat

Birders say they're willing to pay extra when buying birdseed

BY DEBBY DE CARLO

Pamplin Media Group, Mar 17, 2011

Art Vanderzanden's relatives made their way to Oregon's Willamette Valley in 1875, settling the town of Verboort, north of Forest Grove, now famous for its sausage festival each November. Vanderzanden, 73, remembers walking to Visitation Catholic School as a young boy. Between the family farm and the school two miles away, he and his siblings saw Oregon's state bird, the western meadowlark, in the fields and along the side of the road, its melodious song easily recognizable to the school children.

CHRISTOPHER ONSTOTT / PAMPLIN MEDIA GROU
Darlene Betat works at Backyard Bird Shop's Northeas Portland store. The company is lobbying for a new birdseed tax that will benefit bird conservation, though will raise prices on its leading product.

"They were thick," he says of the birds. "Now you never see them."

Habitat loss has all but eliminated Oregon's state bird from the Willamette Valley, and it's not the only bird species in trouble.

While Oregon Department of Fish and Wildlife's budget for game birds has protected and restored habitat – thanks to revenue from hunting and fishing licenses – less than 2 percent of ODFW's budget goes to non-game species such as meadowlarks, bluebirds and bobolinks.

Since bird watchers don't need a license to watch birds, state Rep. Chris Garrett, D-Lake Oswego, has introduced House Bill 3374, dubbed the Wild Bird Conservation Act, in the 2011 legislative session. It would tax birdseed at a nickel per pound, with revenue going to wild bird habitat protection. The idea originally came from Scott Lukens, owner of the Portland-area Backyard Bird Shop retail chain. With over half the income at his seven stores coming from seed sales, Lukens knows his customers value the avian visitors to their yards and wouldn't mind pitching in "a nickel for the birds."

Lukens and others, including the Portland Audubon Society, The Nature Conservancy and Oregon Department of Fish and Wildlife, had a bill ready to go two years ago, but decided the time wasn't right. Now they have their ducks in a row.

"We refined the bill and thought about how we'd administer the money," Lukens says. The bill include: provisions for an oversight committee.

He predicted the nickel-per-pound tax would raise $2 million to $4 million in revenue every two years. "Almost all the money would go to grassland preservation and restoration, bluebird recovery and backyard habitat improvement and certification," Lukens says. "People want to see tax money spent wisely. I know I do."

Lukens notes that people spend millions of dollars annually in Oregon watching birds, and not just in their backyards. According to Travel Oregon, people spent $462 million in the state in 2009 on accommodations, meals, binoculars and other necessities as they watched birds and other wildlife.

For Lukens, it's a matter of making sure there are birds around for the next generation. With a concerted effort made possible by the Wild Bird Conservation Act, Art Vanderzanden's descendants may one day see meadowlarks return to Verboort and all across the state.

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Proposed 5-cent tax on seed sold in Oregon not at all birdbrained

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By **Anna Griffin, The Oregonian**

Scott Lukens, owner of the **Backyard Bird Shop** chain, estimates that nine out of every 10 customers who visit his stores come to buy birdseed.

So it's no shock that Lukens is getting calls from suppliers and customers about his support for **House Bill 3374, which would impose a 5-cent tax on every pound of seed sold in Oregon.**

Lukens' callers want to know whether he's serious -- a polite, bird-watching community way of asking whether he's lost his meadowlark-loving mind: "The point they make is that this is my business and it will have a direct affect on my business."

Oregon could use more of Lukens' brand of crazy. Plenty of special-interest groups want more money for their programs and projects. Few are willing to say: "This is important. So tax us."

"My customers and I have the largest vested interest in making sure we don't lose our birds," said Lukens, a soft-spoken man who founded his small chain 20 years ago. "This isn't a lot of money, but it could do a lot of good."

Through licenses and other fees, hunters and fishermen already pay to help protect ducks and other game birds. But the amount Oregon spends on nongame birds -- bluebirds, finches, rufous hummingbirds and other winged creatures that are more fun to watch than shoot -- totals less than 2 percent of the state's annual wildlife budget. In recent years, researchers have reported noticeable drops in several species, including Oregon's state bird, the western meadowlark.

"It's much more expensive to help birds after they're declared endangered," said Bob Sallinger, the **Audubon Society of Portland's** conservation director.

Here in Oregon, timber country before the northern spotted owl started disappearing, we should know that better than anyone. The idea for a birdseed tax has been in the works for years. "If you're looking for ways to raise money for conservation, birdseed makes sense because it's quantifiable," Sallinger said. "It's not like you're talking about taxing people who smoke or drink. You're asking people who already enjoy an activity to help pay to preserve it."

Yet any seed fee, at its essence a voluntary sales tax on a specific group, remains a hard sell. Some fiscal conservatives don't like the idea of any new taxes. And some birders say seed, which can run from $10 to $40 for a 20-pound bag, is already too expensive.

Rep. Chris Garrett, a Lake Oswego Democrat, proposed a 10 percent tax on birdseed sales in 2009. That died. This year, bird lovers are asking for a nickel fee on each pound sold. The measure, sponsored by the House Revenue Committee, would sunset in 2020. Seed is most commonly sold in 20-pound bags, so that would amount to a buck a bag.

Birders estimate the tax could raise $2 million a year, money that would qualify Oregon to receive a matching amount from the federal government. The state would hire one new employee to oversee a "Wild Bird Conservation Fund" to preserve land where birds feed and nest and to teach Oregonians how to better coexist with birds.

"I know there are some people who are just anti-tax," Lukens said. "But when I talk to my customers, the ones who will actually be paying this, they walk out of the store or get off the phone understanding and seeming to support what I'm talking about."

That's because what he's saying makes perfect sense.

-- Anna Griffin

twitter.com/annargriff

EAST OREGONIAN---OUR VIEW (APRIL 12, 2011)

Small fee on seed will pay to help our native birds

Tacking an excise tax on a specialty product flies in the face of political common sense in these tough economic times.

But there just such a bill in the Legislature — House Bill 3374 — that deserves passage because it makes good sense.

In this case, the miniscule fee is included in the Wild Bird Conservation Act (HB 3374). We believe the Legislature should pass the bill this session.

It would add a 5 cents per pound on wild bird feed distributed for sale in Oregon. The "nickel for birds" fee would be imposed at the wholesale distributor level and would likely be passed on to the retail buyer.

The fee is being sought because more than one out of four native bird species in Oregon is experiencing long-term declines.

Wildlife conservation is largely funded by fees charged to the state's 300,000 hunters and 600,000 anglers. Those two groups pay $62 million each year in license and equipment fees to directly support state management of fish and wildlife.

Yet, despite the fact that 1.7 million people take part in wildlife viewing in Oregon, there is no funding to support the management of the species they enjoy.

This bill helps solve that problem.

You see, each year, Oregonians purchase about 20,000 tons of wild birds seed. The excise fee of that seed would generate between $2 and $4 million every two years. The money generated by the fee would be used to enhance wild bird species — including those in serious decline such as the Western Meadowlark, Oregon's official state bird, the Common Nighthawk, Willow Flycatcher, Rufous Hummingbird, several species of woodpeckers and numerous others.

Specifically, the money would be used to:

- directly fund habitat restoration projects on both rural and urban lands;
- provide information and education programs to help conserve Oregon's native bird species;
- build public and private partnerships for wild bird conservation efforts;

- support native bird management efforts by ODFW.

The most important argument for the fee is that it is supported by the people who purchase the feed. It has been endorsed by Ducks Unlimited, Inc., numerous Audubon Society groups throughout the state, the Oregon chapter of The Wildlife Society, Backyard Bird Shops, the Wetlands Conservancy, Trout Unlimited, the Izaak Walton League of America (Oregon division) and many individuals.

Reversing the declines of native bird species will minimize the risk of federal listing. The best way to achieve that is getting more Oregonians involved in voluntary conservation and funding — all for a mere five cents per pound of wild bird seed.

A nickel for birds is a price many Oregonians are willing to pay. The Legislature needs to pass this bill this session.