



OREGON
ASSOCIATION OF
NURSERIES

**Comments before the House Energy and Environment Committee
House Bill 2813 – relating to *Arundo donax*
By Jeff Stone, Executive Director
Oregon Association of Nurseries
March 19, 2013**

Chair Bailey and members of the Committee, I am Jeff Stone, Executive Director of the Oregon Association of Nurseries. The OAN opposes House Bill 2813 and appreciates the opportunity to provide some comments in the record.

Oregon nursery industry background

The nursery and greenhouse industry remains the state's largest agricultural sector despite a severe economic downturn. As the nation's second largest nursery state with over \$744 million in sales, our growers ship their products throughout the country. Nearly 75% of nursery stock grown in our state leaves our borders – with over half reaching markets east of the Mississippi River. Nursery association members represent wholesale and Christmas tree growers, retailers and greenhouse operations.

Our members have spent generations as stewards of the state's natural resources. We believe that economic vitality can go hand in hand with sustainability and long-term environmental health.

This bill is not necessary

In March 2012, the legislature conducted contentious hearings on *Arundo donax* (*Arundo*) where several environmental groups squared off against PGE. The OAN has members who grow the plant for commercial and ornamental purposes and reached out to the ODA and PGE to work through issues of biofuel stock and commercial growing of the plant.

Since that time - Portland General Electric (PGE) contacted the Oregon Association of Nurseries (OAN) and Oregon Department of Agriculture (ODA) and proposed utilizing *Arundo donax* as an allowed replacement fuel for the energy company's Boardman Power plant in 2020.

The OAN was concerned that decisions on the fate of *Arundo* was being drawn into comparisons with issues such as Canola and overt criticisms of energy companies. This bill is an outright ban of *Arundo donax* and represents an end run around the Oregon State Weed Board

and their efforts to work on a comprehensive, multi-industry rulemaking exercise with the Oregon Department of Agriculture (ODA).

The association is intrigued with using plant material, grown at a scale not seen in Oregon before, to provide energy options for our future. *Arundo* grows extremely fast (it can grow four feet a day or 20 feet a season) and could produce biomass for the PGE facility. However, in some parts of the state and nation, this plant is a serious noxious weed.

Since there is no guarantee that PGE will in fact use the plant as a primary source for energy – a controlled set of growing conditions, crafted through rule, was promulgated.

The rulemaking was approved in latter part of 2012 and put the following safeguards in place:

- Allow *Arundo* for biofuel under permit.
- Prohibit *Arundo* in floodplains.
- Growers/companies would pay a \$2.00/acre/year assessment to cover the cost of monitoring.
- A \$100/acre bond, up to \$1 million, would be required to cover eradication, if needed.
- Wild-type *Arundo* would be phased out of the nursery industry. Variegated varieties would be allowed unless the State Weed Board declares *Arundo* a noxious weed.

The rule balances the need to protect the environment with the economic benefit that some farmers may derive from growing it responsibly. The association has taken similar positions on the rules regarding the propagation of plant material to embrace scientific advancements – seen recently with butterfly bush and English Ivy.

Let the process and rules be evaluated before enacting legislation

The OAN approved of the rulemaking by the state of Oregon which will take effect on December 31, 2013. It is essential that the association, partners and regulators make decisions based on sound, science-based risk assessments and that the action taken is appropriate to the harm risk a plant demonstrates. There may be a time for a bill such as HB 2813 – but that time has not arrived.

The OAN believes and is committed to preventing noxious weeds to spread within our state. What Oregon does is important because it could set a precedent over the next few years for other states and markets outside of our borders.

The OAN respectfully requests that the House Energy and Environment Committee vote no on HB 2813.