

February 4, 2020

House Committee on Natural Resources

Testimony in Support of HB 4091: Establishing Sage-Grouse Mitigation Program In-Lieu Fee Fund.

Submitted by: Amelia Porterfield, Senior Policy Advisor

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Chair Witt and Members of the Committee:

For the record, my name is Amelia Porterfield, Senior Policy Advisor with The Nature Conservancy in Oregon. I am here today in support of HB 4091, which would establish a Sage-Grouse Mitigation Program In-Lieu Fee Fund at the Oregon Department of Fish & Wildlife. Thank you for the opportunity to testify.

The Nature Conservancy (TNC) is a global, science-based, non-partisan 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. 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 our neighbors.

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 state-wide 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 have been 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 and 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 (ESA) list, allowing the State of Oregon to continue managing the species without federal regulatory intervention.

HB 4091 guarantees a key recommendation of the SageCon to come to life.

- First, it ensures greater protections for money within the Sage-Grouse mitigation program by guaranteeing funds to be utilized solely for the purposes of Sage-Grouse mitigation, and;
- Second, it provides the Mitigation Program the flexibility to put In-Lieu Fee (ILF) funds into the state's intermediate-term pool. This would allow the ILF 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 and timely measure, that would inspire developers, landowners and permittees to participate in Sage-Grouse conservation efforts.

HB 4091 is a critical step towards building a Mitigation Program. We appreciate the bill's sponsors for introducing this important legislation and urge the committee to move it forward this session.

Thank you.