Oregon Environmental Restoration Council Meeting
November 18, 2026 | VIRTUAL
1:00 pm - 4:00 pm

Submitted Written Comments

Name	Topic
James Fraser, Trout Unlimited	Comments on the Strategic Priorities
Andrea Kreiner, Oregon Association of Conservation Districts	Comments on the Strategic Priorities
Colin Reynolds, Defenders of Wildlife **Sristi Kamal**, Western Environmental Law Center **Danielle Moser**, Oregon Wild	Comments on the Strategic Priorities
Sophie Els, Oregon Climate and Agriculture Network	Comments on the Strategic Priorities
Joe Buttafuoco, Coalition of Oregon Land Trusts	Comments on the Strategic Priorities
Alexis Larsen, Oregon Native Seed Collective	Comments on the Strategic Priorities
Michael Lang, Wild Salmon Center	Comments on the Strategic Priorities
Linda Hardison, OregonFlora	Comments on the Strategic Priorities
Tristan Henry, Theodore Roosevelt Conservation Partnership	Comments on the Strategic Priorities

James Fraser
Oregon Policy Director, james.fraser@tu.org, (971) 278-8085

November 16, 2026

Oregon Environmental Restoration Council
Via website and emailed to: clare.k.lanusse@oweb.oregon.gov

Re: Trout Unlimited input on draft Strategic Priorities (November 18, 2026 Meeting)

Dear Chair Dembrow, Vice-Chair Holliday, and Members of the Council:

Trout Unlimited (TU) is a nonprofit dedicated to conserving coldwater fish (such as trout, salmon, and steelhead) and their habitats. We have more than 350,000 members and supporters nationwide, including many members in Oregon.

TU supported Senate Bill 1561, which established this program during the 2024 session. We have continued to participate in the program's formation and Council meetings because we see tremendous opportunities for the Fund to improve Oregon's natural resources and environment. In previous meetings, TU has provided input on the applicable settlement language and how it relates to the Fund's purpose and strategic priorities. We have reviewed the Strategic Priorities Staff Report,[1] and are providing input on it below.

Trout Unlimited respectfully recommends that the Council and staff revise the draft Strategic Priorities—before commencing any public engagement process—to more closely hew to the language in Oregon's settlement agreement with Monsanto. We also note that the staff report seems to prematurely address scoring criteria for project applications, and request that the Council not obligate or decide upon those matters until a later date.

1. Some of the Fund purposes described in the Settlement are not included in the draft Strategic Priorities (SPs); the Council should address those omissions by adding key words.

   TU recognizes that the Program's SPs will not copy section 18 of the Monsanto Settlement (which sets forth eligible uses of settlement funds) word-for-word. However, in comparing the Settlement to the draft SPs in this staff report, there are glaring omissions that the Council should address prior to beginning any formal public engagement processes.

   For instance, the Settlement provides that the funds will be used for environmental remediation or restitutionary projects or purposes that consist of projects connected to "environmental or natural resource damage assessment or restoration[.]" Yet, the draft SPs do not address or include "assessment" or similar project planning at all. Instead, the draft SPs reference only the physical work of "removing or containing pollutants" and "cleaning up" contamination. The Settlement expressly provides that these funds may be used for pre-project planning *and* implementation, and we ask the Council to revise the draft SPs accordingly to include such "assessment" and planning efforts.

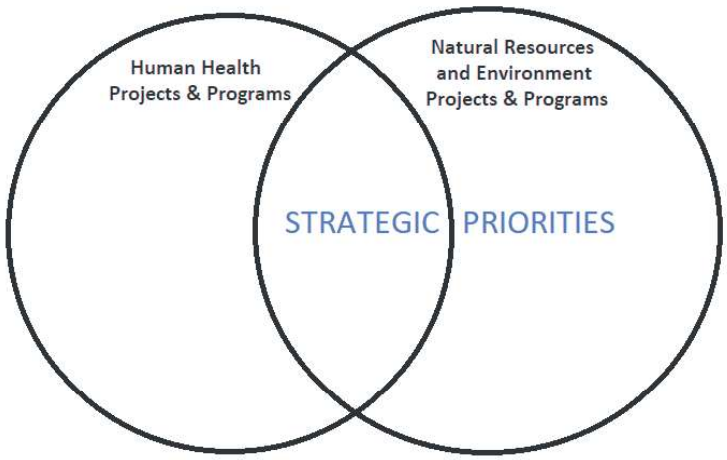
[1] *See* Oregon Environmental Restoration Council, Strategic Priorities Staff Report (November 18, 2026) (providing the draft Strategic Priorities discussed and quoted in this letter) (available at: https://www.oregon.gov/oweb/about-us/OERF/Documents/2026-11-VIRTUAL-Item3-Strategic-Priorities.pdf).

There is also a key word missing in the draft SPs with regard to wildlife and habitats. The Settlement states that funds can be used for "restoration or protection of wildlife or wildlife habitats," but the draft SPs omit "protection," and instead reference "restoring habitat and ecological function" only. There is a key difference between protection and restoration of habitat, with related cost considerations. *Protecting* habitat typically involves functioning habitat (e.g., purchasing a conservation easement to conserve existing high resource values), while *restoration* of habitat involves fixing a degraded state (e.g., engineering and constructing a project with a goal of creating or improving habitat). Oftentimes, protecting habitat that is already providing important wildlife or habitat values can be achieved for similar (or less) cost than restoration projects. We ask the Council to revise the draft SPs to expressly include such "protection" of wildlife or habitats.

2. Conversely, some of the draft SPs are not found in the Settlement; the Council should consider whether these are best framed as SPs or rather, expected outcomes of successfully addressing other priorities.

TU has commented in the past that Fund expenditures must be used for projects which relate—first and foremost—to natural resources and the environment.[2] That remains our position, and we would reiterate our past testimony provided to the Council:[3]

> TU urges the Council to set strategic priorities that relate *primarily* to natural resources restoration, remediation, conservation, and protection. While the Fund purpose is not to address human health issues separately from these conservation matters, the Council can and should use the strategic priority setting process to determine where those natural resources efforts overlap with the needs of people and communities. In our view, the task of selecting strategic priorities includes the opportunity to identify areas where the Fund can make a difference for natural resources and the environment (as provided in the settlement agreement) while also benefiting people and communities, as shown in the Venn diagram below:



The first three draft SPs are "Environmental Restoration & Contaminant Reduction," "Ecosystem and Species Recovery," and "Brownfields & Community Revitalization." We support this because all of

[2] *See* Trout Unlimited public comment letter to the Council dated December 16, 2025 (available at: https://www.oregon.gov/oweb/about-us/OERF/Documents/2025-12-VIRTUAL-Submitted-Written-PC-ARCHIVE.pdf).
[3] *Id.* at page 2.

those themes are closely tied to the settlement language. Moreover, projects that successfully address these SPs would, presumably, also improve environmental quality and help address human health and environmental justice concerns.

Therefore, it is not clear to us how, for example, the draft SP specific to *Human Health* is separate from other SPs that are likely to improve it. In other words, what projects or fund expenditures would address the Human Health draft SP, but separately or discretely from environmental restoration, contaminant reduction, reduced exposure pathways, brownfields remediation, and habitat restoration (each of which are specified as components of other draft SPs)? Echoing Councilmember Rep. Ken Helm's comments at the close of your May 6th, 2026 meeting:

> I am concerned that our work will become too human being-focused. I know that there are harms that have been done to human beings with these substances and pollutants over time. But focusing too heavily on human health, I think, is a mistake for our work, and we can get at it in many other ways that also benefit all the other species that have also suffered mightily because of our missteps . . .[4]

Arguably, improved human health is an outcome or benefit of the first several draft SPs—and TU questions whether a standalone SP related to it is necessary or efficient. Similarly, TU posits that the "Coordination & Capacity Building" draft SP could be reframed as a type of grant, expectation for grantees, or project scoring consideration for other SPs, rather than a standalone SP.

3. The staff report seems to obligate or confine the Council's discretion on project scoring in multiple places, which should either be clarified or expressly delayed until later in this process.

The Staff Report appears to go beyond proposing and refining SPs for the Council's consideration, extending into subsequent steps related to sub-priorities or project scoring. For instance, the draft SP specific to Human Health includes a sub-point which states: "Prioritizing disproportionately impacted communities." Perhaps this is just vague language intended to note that it's a focus area for community work, but the meaning of the word "prioritizing" within the list of draft SPs is unclear. We ask that the Council or staff clarify this provision, perhaps by selecting a different verb.

Similarly, the summary of Council member responses to the survey (in Appendix A) states: "Majority agreed that human health benefits should be weighted equally to environmental benefits and therefore projects with both outcomes would be prioritized." The meaning of this is unclear. If the provision means that projects which serve both ecosystem and human health benefits will rise to the top for funding recommendations—or otherwise receive bonus points in project scoring—then TU disagrees and asks the Council to reconsider. It is premature to signal or decide upon project scoring or sub-priorities within the Program at this stage of the SP selection process, and we ask that this be clarified prior to any public engagement process related to the SPs.

Conclusion

Thank you for considering our comments and please let me know if you have any questions.

Sincerely,

James Fraser, Oregon Policy Director, Trout Unlimited, james.fraser@tu.org

[4] *See* May 6, 2026 meeting recording at 4:50:50 mark (available at: https://www.youtube.com/live/fsMIFxrI7JM?si=CKblwPC6JXSQjPdX&t=17450).

Oregon Association of Conservation Districts

November 13, 2026

To: Oregon Environmental Restoration Fund Council
Re: Strategic Priorities

Dear Co-Chairs Sams and Dembrow and members of the Oregon Environmental Restoration Fund Council,

The Oregon Association of Conservation Districts (OACD) represents Oregon's 45 Soil and Water Conservation Districts, special districts governed by elected boards. The Districts protect and enhance soil quality, water quality and quantity, and habitat by providing technical services and supporting voluntary conservation in partnership with private landowners and managers, and with federal, state and nonprofit partners.

We are thankful to the Council for this opportunity to provide comments on the strategic priorities staff report.

OACD is happy to see the term "soil" used in the strategic priorities in the report. However, the way the strategic priorities are stated, it is unclear whether improving soil health would be a priority unless it directly related to human health through "removing or containing pollutants, cleaning up contaminated…soil, reducing exposure pathways" (strategic priority 1). Improving soil health includes not only directly removing or reducing contaminants, but also rebuilding soil organic matter, sequestering carbon, increasing infiltration and providing quality habitat for richer biodiversity. Achieving sustainable soil health is linked to the health of humans, animals, and plants and promoting the health of the planet by maintaining secure and healthy food production, preventing soil-borne pathogen transmission, decreasing harmful agrochemical misuse, and sustaining ecological balance, which are all vital to human, animal, and environmental health. *We respectfully request that the full range of work to improve soil health be included specifically in the strategic priorities.*

Although the settlement language focuses on natural resources, ecosystems, and wildlife, we understand and support the Council's desire to prioritize human health and environmental health equally. However, in OACD's reading of the stated priorities in the report, human health benefits and environmental health are <u>not</u> prioritized equally; the priorities appear to be heavily weighted toward human health and environmental justice. *We believe it is important that the strategic priorities reflect the desire for balance.*

Finally, there also appears to be a mixing of tiers in the priorities, with some being 'what we do' and others being more 'how we do it.' For example, groups such as "Ecosystem and Species Recover and "Brownfields and Community Revitalization" incorporate actions that address environmental and human health. But others, such as "Partnerships with Municipalities, Community Groups, and Other Partners" do not include actions that address environmental health nor human health, but rather how those actions are undertaken.

P. O. Box 10527, Portland, OR 97296

To address this issue and those above, we suggest that the Council delineates outcome goals (environmental and human health), priority objectives (e.g. species recovery or brownfields and community reviatilization) separately from functional preferences (e.g.partnerships) and to ensure that environmental health and protection of Oregon's natural resources do not take second seat to the anthropogenic goals.

Thank you for the opportunity to provide these comments to the Council.



Andrea Kreiner, Executive Director
Oregon Association of Conservation Districts
Andrea.Kreiner@OACD.org

Oregon Environmental Restoration Council

November 16, 2026

Re: Comments on Draft Strategic Priorities (Agenda Item 3)

Dear Co-Chair Dembrow, Vice-Chair Holliday, and Members of the Council,

We are writing on behalf of Defenders of Wildlife, Oregon Wild, and the Western Environmental Law Center. Collectively, we are all members of the Oregon Wildlife Coalition, a network of wildlife conservation groups working proactively and collaboratively to advocate for policies that are science-based and humane and reflect the state's conservation values.[1] We are writing to provide feedback on the draft strategic priorities of the Environmental Restoration Council ("Council") for its November 18, 2026 meeting.

We reiterate the recommendations we made in our May 4, 2026, letter[2] and urge the Council to incorporate the purpose of the State of Oregon's settlement with Monsanto (the "Settlement") in the strategic priorities. Under the Settlement, the money Monsanto paid must be used for environmental remediation or restitutionary projects having a nexus with harm to air, water, soil, or natural resources such as the restoration or protection of wildlife or wildlife habitats, including fish, aquatic life, marine mammal, or bird habitats.[3] Paragraph 18 of the Settlement also lists the specific project categories the Settlement contemplates: brownfields remediation or redevelopment; environmental or natural resource damage assessment or restoration; improvements to air and water quality; cleanup of contaminated sites; remediation of impaired waterbodies, sediments, or soil, or restoration or protection of wildlife and wildlife habitats.[4] The Oregon Legislature reinforced this requirement in SB 1561 (2024), which repeatedly provides that the Fund's moneys be used in a manner "consistent with the terms of the Monsanto Settlement Agreement."[5]

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[1] OREGON WILDLIFE COALITION, https://www.oregonwildlifecoalition.com.

[2] *Letter from Defenders of Wildlife, Oregon Wild, & Western Environmental Law Center to the Oregon Environmental Restoration Council* 6-9 (May 4, 2026), https://www.oregon.gov/oweb/about-us/OERF/Documents/2026-05-SALEM-Submitted-Written-PC-through-May-5.pdf.

[3] Section 18, Oregon v. Monsanto Settlement Agreement (Dec. 15, 2022), https://oregonerf.org/wpcontent/uploads/2025/10/2025-10-background_staff-reports_reference-docs.pdf; Senate Bill 1561 (2024), https://olis.oregonlegislature.gov/liz/2024R1/Downloads/MeasureDocument/SB1561/Enrolled.

[4] Section 18, Oregon v. Monsanto Settlement Agreement (Dec. 15, 2022), https://oregonerf.org/wpcontent/uploads/2025/10/2025-10-background_staff-reports_reference-docs.pdf.

[5] Senate Bill 1561 §§ 1(1)(c), 1(2), 3(2), 6(2)(a), 7(2)(a), 8(2)(a) (2024), https://olis.oregonlegislature.gov/liz/2024R1/Downloads/MeasureDocument/SB1561/Enrolled.

As currently written,[6] the draft strategic priorities omit or do not reflect several project categories listed in Paragraph 18 of the Settlement, including, for example: **remediation** of impaired waterbodies, sediments, or soil; **protection** of wildlife or wildlife habitats; brownfields **redevelopment**; and environmental or natural resource damage **assessment.**[7]

Therefore, at a minimum, we request that the Council revise the draft strategic priorities to:

- add remediation of impaired waterbodies and sediments to Priority 1;
- add protection of wildlife and wildlife habitats, including fish, aquatic life, marine mammal, and bird habitats to Priority 2;
- add brownfields redevelopment to Priority 3;
- add environmental and natural resource damage assessment to the priorities as one of the priorities

As the strategic priorities drafting process proceeds, it is essential that the purpose of the Settlement is reflected in the strategic priorities. Doing so will ensure the Fund's proceeds are used for projects in a manner contemplated by the Settlement.

We appreciate the Council's and staff's work on this process and the opportunity to comment.

Sincerely,

Sristi Kamal, Ph.D.
Deputy Director
Western Environmental Law Center

Danielle Moser
Associate Director of State Programs
Oregon Wild

Colin Reynolds
Senior Advisor, Northwest Program
Defenders of Wildlife

[6] Oregon Environmental Restoration Council Staff Report, Strategic Priorities (Agenda Item 3) 3 (Nov. 18, 2026), https://www.oregon.gov/oweb/about-us/OERF/Documents/2026-11-VIRTUAL-Item3-Strategic-Priorities.pdf.

[7] Section 18, Oregon v. Monsanto Settlement Agreement (Dec. 15, 2022), https://oregonerf.org/wpcontent/uploads/2025/10/2025-10-background_staff-reports_reference-docs.pdf (emphasis added).

OrCAN
Oregon Climate & Agriculture Network
Resilience through soil health

November 16, 2026

To: Oregon Environmental Restoration Council
From: Sophie Els, Oregon Climate and Agriculture Network (OrCAN)
sophie@oregonclimateag.org
Re: Oregon Environmental Restoration Fund (OERF) Strategic Priorities

Co-Chair Dembrow, Vice Chair Holliday, and members of the Oregon Environmental Restoration Council,

I am commenting on behalf of Oregon Climate and Agriculture Network (OrCAN), regarding the draft strategic priorities for the Oregon Environmental Restoration Fund (OERF).

As the Council works to develop the framework that will guide the Fund, we urge you to consider soil health as a key strategic priority. There is a direct link between soil health and environmental contamination *and restoration*. Soil health refers to the ability of soil to consistently provide essential ecosystem services such as regulating nutrient cycles, filtering water, mitigating pollutants, sequestering carbon, and supporting agricultural productivity[1].

Item 1 of the draft priorities is titled "Environmental Restoration & Contaminant Reduction", but the actions listed beneath this title are focused solely on the latter, contaminant reduction. Reducing exposure pathways and cleaning up contaminated waters and soil are important, but the long-term health and longevity of the environment depends upon the *restoration* of these key resources. This core element of the Fund's purpose must be emphasized when determining the priorities that will guide the work and investments for years to come.

Specifically, restoration of soils should be a priority for the Fund, as restored, healthy soils absorb and retain more water, making them less susceptible to erosion as well as preventing runoff of nutrients and contaminants into water sources[2]. Soil health practices provide

[1] Kabato et al (2025) https://doi.org/10.1016/j.scitotenv.2025.180460
[2] https://www.nrcs.usda.gov/conservation-basics/natural-resource-concerns/soil/soil-health

environmental restoration benefits including improved water quality and pollution reduction, through:

- reduced use of pesticides and fertilizers preventing pollution of agricultural soils and nearby waterways;
- improved water infiltration and retention reducing runoff;
- increased soil stabilization reducing erosion;
- and increased biodiversity and habitat.

Healthy soils have other co-benefits including:

- promoting resilience to drought, floods, extreme heat, and unpredictable weather from improved water infiltration and retention, soil stabilization, reduction of wildfire fuels, and disease and pest resistance;
- climate mitigation from protecting, building, storing, and sequestering carbon and reducing greenhouse gas emissions (from fertilizers and farm equipment);
- economic resilience resulting from the benefits above, increased productivity and reduced input costs.

As the Council deliberates on strategic priorities for uses of the sub-funds for state agency programs and impacted communities, we urge you to include soil health as a key strategic priority. *We recommend adding language such as the following to Item 1 of the draft priorities: "Invest in soil health practices to restore clean water and soil"*

As the Council begins engagement with stakeholders and the public on the development of the strategic priorities, OrCAN would appreciate the opportunity to participate in future opportunities for consultation and input on the strategic priorities to share more information about soil health as a soil and water restoration strategy.

The State of Oregon can make a meaningful difference for farmers and ranchers, local ecosystems, and communities that rely upon these resources across the state by investing in soil health as a restoration strategy.

Thank you for the opportunity to provide these comments to the Council.

Sophie Els
Policy Coordinator, Oregon Climate and Agriculture Network

COALITION OF OREGON LAND TRUSTS
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November 16th, 2026

RE: Oregon Environmental Restoration Fund Draft Strategic Priorities

Co-Chair Dembrow, Vice-Chair Holliday, and Members of the Council:

The Coalition of Oregon Land Trusts (COLT) appreciates the opportunity to provide comments on the proposed strategic priorities for the Oregon Environmental Restoration Fund (OERF). COLT represents a 33-member statewide network of land trusts, soil and water conservation districts, and conservation organizations working to protect Oregon's natural world—our water, wildlife, and open spaces—for all people, forever. Collectively, our members have protected more than 981,000 acres of land across our state.

We appreciate the Council's efforts to establish strategic priorities that address environmental restoration, ecosystem recovery, brownfield revitalization, and community engagement. As the Council continues to refine these priorities, we encourage explicit recognition of **land conservation, protection, and long-term stewardship as complementary tools for achieving the Fund's environmental restoration and human health objectives.**

Environmental restoration does not end with the completion of on-the-ground restoration activities. Protecting important natural areas, including forests, wetlands, riparian corridors, floodplains, and other lands that support healthy ecosystems and communities, can help prevent future degradation and ensure that restoration investments deliver lasting benefits. Voluntary land acquisition and conservation easements protect critical habitat, maintain watershed functions, improve landscape connectivity, and safeguard lands that are essential to ecosystem health and recovery.

These efforts also deliver important co-benefits for human health, wildlife, and community resilience. Along the Oregon coast, North Coast Land Conservancy has partnered with coastal communities and local water districts to permanently protect forested watersheds that supply local drinking water. By conserving these lands, communities can safeguard clean and reliable drinking water sources, maintaining healthy forests that filter water while protecting habitat for salmon and other wildlife. These protections also help communities build resilience to drought, wildfire, and other climate impacts.

This is just one example of how land protection can advance multiple strategic priorities simultaneously, and is an integral part of Oregon’s investments in healthy ecosystems and

22 MEMBER ORGANIZATIONS: Blue Mountain Land Trust • Center for Natural Lands Management • Columbia Land Trust
Deschutes Land Trust • Ducks Unlimited • Forest Park Conservancy • Friends of the Columbia Gorge Land Trust
Greenbelt Land Trust • Lower Nehalem Community Trust • McKenzie River Trust
North Coast Land Conservancy • Oregon Agricultural Trust • Oregon Desert Land Trust
Pacific Forest Trust • Southern Oregon Land Conservancy • The Conservation Fund • The Nature Conservancy in Oregon
Trust for Public Land • The Wetlands Conservancy • Wallowa Land Trust • Western Rivers Conservancy • Wild Rivers Land Trust
11 ASSOCIATE MEMBER ORGANIZATIONS: Bird Alliance of Oregon • Black Oregon Land Trust • Cerro Gordo Land Conservancy •
East Multnomah Soil & Water Conservation District • Helvetia Community Association
Tualatin Soil & Water Conservation District • View the Future • Willamette Falls Trust • Willamette River Preservation Trust •
Yamhill Soil & Water Conservation District • Yamhill Conservation Trust

resilient communities. Land trusts are important partners in this work, bringing local relationships, conservation expertise, and the capacity to protect and steward lands over the long term. We encourage the Council to consider the following recommendations as it finalizes the strategic priorities:

Recognize land protection as a strategy for environmental restoration and ecosystem recovery.
Land acquisition and conservation easements are important tools for protecting natural resources and sustaining restoration outcomes. Protecting ecologically important lands can prevent future development and fragmentation, maintain habitat connectivity, and safeguard the natural functions of watersheds, wetlands, and other ecosystems. We encourage the Council to explicitly recognize voluntary land protection as an eligible and valuable approach within the Environmental Restoration and Contaminant Reduction and Ecosystem and Species Recovery priorities, where projects demonstrate a clear connection to the Fund's restoration objectives.

Emphasize long-term stewardship and protection of restoration investments.
Restoration investments should be designed to deliver durable environmental benefits. Long-term stewardship, monitoring, and protection of restored lands and waters are essential to maintaining ecological function and preventing future degradation. Conservation easements and other permanent land protection mechanisms can provide lasting safeguards for important natural areas while supporting ongoing restoration and management.

We hope to continue engaging with the Council as you work to gather input from the public and conservation organizations on your strategic priorities. COLT looks forward to helping facilitate opportunities for the land trust community to share feedback, elevate on-the-ground perspectives, and ensure the priorities reflect the needs and experiences of organizations working across Oregon

We appreciate the Council's consideration of these recommendations and its continued work to establish a strategic framework that delivers meaningful, lasting environmental benefits for Oregon communities and natural resources. We look forward to opportunities to support the successful implementation of the Oregon Environmental Restoration Fund.

Thank you for your service on this Council and your commitment to ensuring benefit for Oregon’s environment and communities across the state.

Sincerely,



Joe Buttafuoco
Executive Director
Coalition of Oregon Land Trusts

The Oregon Native Seed Collective is a partnership of organizations working together to increase the availability and use of native seed for restoration, rehabilitation, and mitigation projects in Oregon.

OREGON NATIVE SEED COLLECTIVE

Native seed supply as a strategic priority for the Oregon Environmental Restoration Fund

Dear Co-Chairs Dembrow and Sams and Members of the Council,

On behalf of the Oregon Native Seed Collective, we are writing to ask the Council to include native seed supply among the strategic priorities for the Oregon Environmental Restoration Fund.

The Monsanto Settlement Agreement calls for restoring and protecting wildlife habitat, remediating impaired soils, and improving water quality. Native vegetation does much of that work by holding soil in place, filtering runoff, and providing food and cover for fish and wildlife. In many disturbed areas, the native seed bank that once allowed natural recovery has been depleted or replaced by invasive species, and native plants will not return without help. Oregon uses thousands of pounds of seed for revegetation each year, yet only a fraction of the state's more than 3,500 native species are available in any quantity. What is missing is the capacity to produce that seed: the trained collectors, cleaning and storage facilities, and growers needed to produce the right seed for each region.

We have had devastating fire years recently: 2012, 2020, and 2024 were all recording-breaking years. This year's fire season made the need even harder to ignore. Wildfires burned more than two million acres in Oregon in 2026, breaking 2024's record. Almost all of that acreage was east of the Cascades, where much of the habitat is sagebrush, grassland, and rangeland that ranchers, wildlife, and tribal communities depend on.

Fires of this size touch many of the same resources the Settlement Agreement is meant to restore, including wildlife habitat, soils, and the health of streams and rivers. They remove the vegetation that wildlife rely on for food and cover. They leave soils bare and prone to erosion, and in the seasons that follow, rain carries ash and sediment into streams that support fish and supply water to communities downstream.

Reestablishing native vegetation is how that damage is repaired. Native perennial plants rebuild habitat, stabilize soil, and slow runoff before it reaches streams. When they do not return, annual grasses move in, and those grasses dry out early and burn again, so the same habitat

and watersheds are damaged repeatedly. Seeding has the best chance of success in the first fall or winter after a fire, but seed suited to these sites is often not available when it is needed.

Native seed also supports the direction Governor Kotek set in Executive Order 25-26. The order asks state agencies to identify lands that can be restored to greater resilience, prioritize them for restoration, and help landowners and land managers adapt to climate impacts, including wildfire. Meeting these goals will take considerably more native seed than Oregon produces today. Because OWEB co-leads the interagency team implementing the order and also administers the Fund, there is a natural opportunity to connect the two efforts.

Much of the groundwork is already in the works. The Oregon Native Seed Strategy (ONSS), published in February 2025, lays out a statewide approach to collecting, producing, and storing native seed. The Oregon Native Seed Collective has begun building regional seed hubs to carry out this approach with a strong foundation of communication and planning to support successful implementation.

As the Council drafts its priorities, we hope you will recognize native seed and plant materials as part of the infrastructure that makes habitat, soil, and water quality restoration possible. We would also welcome the chance to take part in public outreach planned for this winter and spring, and would be glad to present to the Council or answer questions from staff.

Thank you for your time and for your work on behalf of Oregon's lands and waters.

Sincerely,

Oregon Native Seed Collective

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Kathryn Prive, Executive Director
The Understory Initiative
info@understoryinitiative.org

November 16, 2026

Oregon Environmental Restoration Council
775 Summer Street NE, Suite 360
Salem, OR 97301
Submitted via email

Re: Wild Salmon Center comments on Agenda Item 3, Draft Strategic Priorities

Dear Co-Chair Dembrow, Vice-Chair Holliday and Council Members:

Thank you for the opportunity to provide public comments on the Draft Strategic Priorities for the Environmental Restoration Fund. Wild Salmon Center is a nonprofit organization dedicated to conserving wild salmon and steelhead rivers in Oregon and around the Pacific Rim through solutions grounded in science.

As stated in previous comments, Wild Salmon Center supports the timely implementation of the Environmental Restoration Fund in a manner that is consistent with the terms of the settlement agreement between the State of Oregon and Monsanto. This includes environmental remediation or restitutionary projects or purposes including restoring, maintaining, and enhancing the quality of Oregon's air, land, water, and other natural resources…"[1]; and "...restoration or protection of wildlife or wildlife habitats, including fish, aquatic life, marine mammal, or bird habitats…"[2]

The Draft Strategic Priorities reflect several important requirements of the settlement contained in Paragraph 18, but omit or misinterpret others.

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[1] *State of Oregon v. Monsanto Company, et al.*, Case No. 81CV00540 (Circuit Court of Oregon, Multnomah County), Consent General Judgment dated December 15, 2022, Paragraph 18
[2] *State of Oregon v. Monsanto Company, et al.*, Case No. 81CV00540 (Circuit Court of Oregon, Multnomah County), Consent General Judgment dated December 15, 2022, Paragraph 18

INTERNATIONAL HEADQUARTERS
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info@wildsalmoncenter.org • wildsalmoncenter.org

Draft Strategic Priority 1 omits important language requiring "remediation of impaired waterbodies, sediment or soil…" We recommend adding this language from the settlement into the strategic priorities.

Draft Strategic Priority 2 also lacks key language included in the settlement. The settlement includes the requirement to fund projects or purposes that have a nexus or connection to the "restoration or *protection* of wildlife or wildlife habitats, including fish, aquatic life, marine mammal or bird habitats…" (Emphasis added) However the draft priorities replaces the word "protection" with "supporting." We are concerned that this language is weaker than what is required in the settlement.

> 2. Ecosystem & Species Recovery
> • Restoring habitat and ecological function
> • *Supporting* aquatic species, wildlife, endangered and threatened species, and culturally important species (Emphasis added)

We recommend replacing "supporting" with "protecting" in the draft priorities.

Draft Strategic Priority 5 appears to include strategies that are outside of the scope of the settlement. For example, "supporting access to clean water and safe, healthy, natural spaces" is a laudable goal, but access is not addressed anywhere in the settlement. For example, would infrastructure and transportation projects to improve access be included in the scope of this priority? We recommend removing this sub-strategy from the draft priorities.

Overall, we recommend including the exact language from the settlement wherever possible and avoiding the inclusion of priorities that are not addressed in the terms of the settlement.

Thank you for considering these comments and for your continued work to implement the Environmental Restoration Fund consistently with the terms of the settlement agreement.

Sincerely,

Michael Lang
Senior Policy Manager
Wild Salmon Center

The OregonFlora mission is to increase knowledge of the plants of Oregon through the sharing of technically sound, accessible information for diverse audiences. We are a self-funded program based at Oregon State University.

OregonFlora
OSU Botany
2701 SW Campus Way
Corvallis, OR 97331
https://oregonflora.org

Dear Co-Chair Dembrow, Vice Chair Holliday, and members of the Oregon Environmental Restoration Council:

As director of the OregonFlora program, I am writing to lift up the plant diversity resources that OregonFlora provides, and to assert that these resources contribute information needed to successfully meet the strategic priorities of the Oregon Environmental Restoration Fund.

OregonFlora (https://oregonflora.org) gathers and shares knowledge about the 4,860 unique vascular plants of Oregon that grow in the wild, and makes it accessible to a diverse audience through *Flora of Oregon* publications and our website. Since 1994, we have developed and maintained an extensive database that documents all unique plant taxa that have been found in Oregon. We research their taxonomy, nomenclature, and origin (native/invasive/exotic), and maintain plant occurrence records spanning the late 1800's through today. Our printed and digital resources provide detailed species descriptions, identification tools, 6,064 digital taxon fact sheets, graphics comprised of original scientific illustrations (*Flora of Oregon* books) and 73,200 field photographs (website), and >1.55 million mappable plant occurrence records in an interactive tool.

Data come from herbaria, state and federal agencies, businesses and NGOs in natural resource management, individuals, and OregonFlora's scholarly research. We curate this information and standardize its format, thus facilitating our ability to effectively share data to meet diverse needs. OregonFlora's role as a clearinghouse of reliable, comprehensive plant diversity data is unique; we provide increased efficiencies to agencies and data users by eliminating data silos and duplicated efforts. Importantly, the OregonFlora brings context to natural resource initiatives, providing landscape-scale plant diversity and distribution data across time and space.

Both the big-picture framework and the detailed point data are necessary to achieve effective outcomes within environmental remediation and restoration, habitat improvement for wildlife and humans, invasive weed management, and rare plant conservation.

OregonFlora has collaborations with the Oregon Biodiversity Information Center (ORBIC), Oregon Dept. of Agriculture Native Plant Conservation program, Coalition of Oregon Land Trusts, herbaria across the Pacific Northwest, the Oregon Native Seed Strategy, the Native Plant Society of Oregon, and others. We help support this broad spectrum of stakeholders through data exchanges, customized data requests, and publicly available website resources like our Rare Plant Guide and Grow Natives tools.

OregonFlora is dedicated to providing ongoing access to its dataset and continuing its research and curation to keep its resources up to date. We welcome the opportunity to expand our network of partners while helping to provide the necessary knowledge infrastructure that will support the Council's strategic objectives.

Thank you for your consideration, and for your work to improve Oregon's natural resources.

Sincerely,



Linda Hardison

Director, OregonFlora
Asst. Prof. Sr. Research, Dept. Botany & Plant Pathology, Oregon State University

November 16, 2026

Oregon Environmental Restoration Council c/o Oregon Environmental Restoration Program 775 Summer Street NE, Suite 360 Salem, OR 97301

RE: Agenda Item 3, Draft Strategic Priorities for the Oregon Environmental Restoration Fund

Co-Chair Dembrow, Vice Chair Holliday, and members of the Council:

On behalf of the Theodore Roosevelt Conservation Partnership (TRCP), thank you for the opportunity to comment on the draft strategic priorities. TRCP is a nonpartisan coalition working to guarantee all Americans quality places to hunt and fish. Oregon's hunters and anglers depend on the fish, wildlife, and habitat that the Monsanto settlement was secured to make whole, and we appreciate the care staff and the Council have put into this framework.

The strategic priorities should explicitly commit to protecting fish and wildlife habitat, including conserving lands and waters that retain high wildlife and habitat value. The settlement requires this commitment, but the draft does not yet include it.

Section 18 of the Settlement Agreement directs proceeds to projects that restore, maintain, and enhance Oregon's air, land, water, and other natural resources, with a nexus to brownfields remediation or redevelopment, environmental or natural resource damage assessment or restoration, improvements to air and water quality, cleanup of contaminated sites, remediation of impaired waterbodies, sediments, or soil, or "restoration or protection of wildlife or wildlife habitats, including fish, aquatic life, marine mammal, or bird habitats."

First, the settlement authorizes the restoration **or protection** of wildlife and wildlife habitats, but Priority 2 lists restoring habitat only. We recommend adding the protection and maintenance of functioning habitat. Second, the settlement purpose of **maintaining** natural resources appears in the draft purpose statement but not in the priorities, and it should be carried into Priority 2. Third, environmental or natural resource **damage assessment** is absent from the priorities; Priority 4 covers monitoring, not assessment. We recommend adding it to Priority 1 or 4. Finally, the settlement covers brownfields

remediation **or redevelopment**, yet Priority 3 lists remediation only, so redevelopment should be added.

We recommend revising Priority 2 to read "Fish and Wildlife Habitat Protection, Restoration, and Species Recovery," with a first bullet stating: "Protecting and maintaining functioning fish and wildlife habitat, including through voluntary acquisition and conservation easements." Because projects must align with the adopted priorities, a settlement purpose left out of the priorities is effectively left out of the Fund.

The threat-based land management framework, developed by Oregon State University and USDA Agricultural Research Service scientists at the Eastern Oregon Agricultural Research Center in Burns, we believe, is instructive in this case. It first identifies where habitat remains intact, then targets the primary threats before they degrade it. The companion Sagebrush Conservation Design sequences the work as "defend the core, grow the core, and mitigate impacts." The logic is straightforward: once a functioning system crosses an ecological threshold, recovery becomes slow, expensive, and uncertain, so protecting intact habitat and growing outward from it delivers more durable results per dollar than repair alone. This approach is landscape-agnostic and applicable from sagebrush to cold-water refugia, connected floodplains, estuaries, to big-game winter range, and it is especially useful where social conditions are complex and funding is limited or dispersed. Mitigation has a place, but as the third step, and certianly not the only one.

The state already has the science to target protection well. The Oregon Conservation Strategy's Strategy Habitats and Conservation Opportunity Areas, along with ODFW's wildlife connectivity priorities, identify where conserving high-value habitat will matter most. Anchoring protection investments to these plans also meets the Council's own survey criterion that funded activities link to state science-based plans developed through public processes.

We also request that the scientific synthesis staff will prepare identify intact, high-value fish and wildlife habitat alongside degraded conditions. As described on page 4, the synthesis would summarize contamination and degradation. Without a picture of what remains functioning, the Council cannot weigh protection against repair.

TRCP supports outcomes that reduce health risks to Oregonians. Those outcomes follow from doing cleanup, remediation, and restoration well. However, human health and environmental justice are not named as fund purposes in Section 18, and listing them as a standalone priority applied to both programs moves the Fund beyond the settlement's terms. We recommend recasting Priority 5 as an expected outcome of settlement-eligible

work, with community-specific objectives addressed in Community Impact Fund program design where statute directs.

Two specific items concern us:

- **"Prioritizing disproportionately impacted communities"** Without further definition, this reads as a scoring criterion that elevates some projects' eligibility beyond any existing evaluation framework. We request that it be removed from the priorities and taken up in program-specific evaluation criteria during rulemaking, with public input.
- **Appendix A states "projects with both outcomes would be prioritized"** We request that the Council clarify on the record that the survey summary is not adopted guidance and that no category of outcome carries added weight at this stage.

These requests build on TRCP's May 6, 2026 testimony. The Fund is a once-in-a-generation opportunity to make Oregon's fish and wildlife whole, and conserving the best of what remains is the surest way to do it. Thank you for your consideration.

Respectfully,



Tristan Henry
Oregon Field Representative
Theodore Roosevelt Conservation Partnership
thenry@trcp.org