CALIFORNIA
NATIVE PLANT SOCIETY

CODE OF ETHICS AND STANDARDS FOR PROFESSIONAL CONDUCT FOR FIELD AND CONSULTING BOTANISTS

9 AUGUST 2016

This document was prepared by the California Native Plant Society (CNPS) Board of Certification, which administers California Consulting Botanist Certification (CBC). It applies to certified field and consulting botanists, and is also encouraged to be adopted by the larger botanical community.

WHEREAS professional field[1] and consulting botanists[2] are a vital component in the field of plant science including floristics; vegetation classification, mapping, description, and management; plant ecology; conservation; impact assessment (including how to avoid or minimize impacts); mitigation design, implementation, and monitoring; taxonomy; systematics; and rare plant management;

WHEREAS professional field and consulting botanists provide the survey results and/or conduct analyses and make recommendations and decisions, which can irrevocably alter native plant habitat; and

WHEREAS qualified professional field and consulting botanists are vital to the continued discovery and cataloging of the California flora and how humans can live compatibly with the natural environment as stewards of our natural resources;

BE IT RESOLVED that the California Native Plant Society, as recommended by the California Botanist Board of Certification, adopts this Code of Ethics and Standards for Professional Conduct by field and consulting botanists.

Professional Botanists shall conduct their activities in accordance with the Code of Ethics and Standards for Professional Conduct as described below.

A. Code of Ethics

Field and Consulting Botanists have a responsibility for advising on appropriate stewardship of natural botanical resources. Professional botanists will strive to meet this obligation through the following goals:

1. Act consistent with the highest standards of integrity and conduct.
2. Act as an objective authority providing technical information and professional judgments.
3. Promote competence in field and consulting botany.
4. Advance conscientious stewardship of the California flora and its supporting ecosystems.
5. Assist disadvantaged groups or individuals who request botanical advice.

[1] For the purpose of this code of ethics and professional standards, professional field botanists are defined as biologists that provide services related to the expertise of plant identification, vegetation mapping and classification, and rare plant surveys pertaining only to studies in the field.

[2] Certified consulting botanists are defined as biologists that provide the same services as professional field botanists but also are capable of report preparation providing survey results; analyzing impacts and developing mitigation strategies; and preparing management plans related to the field of botany related to environmental impact review and resource management.

B. Standards for Professional Conduct

B.1. Tenets. The intent of the Code of Ethics and traditional norms for professional service. Botanists shall at all times:

A. Adhere to high standards of personal education and performance in field and consulting botany.

B. Adhere to fair and uniform standards of employment and treatment of those professionally engaged in the field and consulting botanist careers.

C. Assiduously avoid discrimination, favoritism, abuse of professional authority, and bribery in any form, and avoid working purely for personal satisfaction or gain.

D. Refrain from making false or undocumented claims that would injure the reputation of another botanist.

E. Give full and proper credit to the works and ideas of others, avoiding plagiarism in verbal or written communication.

F. Avoid misrepresenting skills or experience.

G. Provide professional services only in areas of their expertise.

H. Disclose any conflicts of interest that may interfere with the objective performance of professional services.

I. Use the best available scientific information in environmental effects analyses and resource management decisions.

J. Reach conclusions free of the influence of political pressure or pressure from a client or supervisor.

K. Report violations of laws and/or regulations related to biological resources to the appropriate state or federal regulatory agencies in a timely manner.

L. Refrain from participating, or allowing work to be used, in any activity that would result in the violation of any environmental law or regulation[3].

M. Promote science-based management of natural vegetation and ecosystems.

N. Disseminate information to increase understanding of, and appreciation for, the societal, ecological, and intrinsic values of native plants and their habitats.

O. Avoid, to the extent possible, entering into confidentiality agreements that unconditionally prohibit the disclosure of botanical survey results[4].

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[3] It is prudent for certified botanists to inform clients that require signing of a confidentiality agreement that he/she is responsible to adhere to this Code of Ethics, including reporting violations to regulatory authorities, such as local lead agency, California Department of Fish & Wildlife, U.S. Fish & Wildlife Service, U.S. Army Corps of Engineers, etc.

[4] Confidentiality agreements are a standard way to control the release of information, such as delaying the release of survey findings until the permit application or draft environmental documents are released, or in some cases where access to private property is contingent upon the findings remaining confidential. Confidentiality agreements are acceptable as long as there is some certainty that the survey findings will eventually be released to the public or the resource agencies.

B.2. Minimum Standards of Performance. The professional Field and Consulting Botanist shall conduct all field work and analysis according to a minimum standard of performance, which include the following:

A. All field work shall be conducted according to existing laws and regulations and follow established recommended survey protocols adopted by the scientific botanical community, including but not limited to current survey guidelines and protocols provided by the California Native Plant Society, California Botanical Society, California Department of Fish and Wildlife, U.S.D.A. Forest Service, Bureau of Land Management, and the U.S. Fish and Wildlife Service;

B. All floristic (or plant) lists and reports shall use currently accepted scientific nomenclature to ensure accurate communication between botanists. Currently accepted nomenclature can be found in the *CNPS Online Inventory of Rare and Endangered Plants*, *Jepson eFlora*, and/or *Flora of North America North of Mexico*, or other appropriate scientific publications;

C. The results of all field surveys and analyses shall be reported truthfully, accurately, and according to established guidelines and protocols;

D. All statements in environmental documents and reports other than those directly from the author(s) own personal observations or insights shall be cited. Statements based on peer-reviewed scientific literature and other resources shall be cited and accurately convey the levels of understanding and certainty (such as by distinguishing between documented observations and strongly supported theories from personal hypothesis and opinions);

E. Where possible, results of field surveys shall be submitted in a timely manner to appropriate resource agencies, such as the California Department of Fish and Wildlife's Natural Diversity Database;

F. Where possible, plant observations shall be documented through specimen vouchering, and deposited into a participating herbarium of the Consortium of California Herbaria;

G. All vegetation mapping and classification shall be conducted according to currently accepted and adopted mapping and classification methods, and in California, be consistent with *A Manual of California Vegetation, Second Edition* (Sawyer et al. 2009) as updated in the Online Vegetation Manual (http://vegetation.cnps.org/);

H. The results of field surveys and analyses shall be presented in a complete and unbiased manner.

I, _____, as a Certified Field/Consulting Botanist agree to uphold the consulting botanist profession by following and abiding by this Code of Ethics and Standards for Professional Conduct as long as I am certified. Failure to do so may result in my certification being revoked.

_____ _____

Signature Date

Definitions

Confidentiality Agreement (CA): "A legal agreement between two or more parties that is used to signify that a confidential relationship exists between the parties. A confidentiality agreement is used in strategic meetings where various parties become privy to sensitive corporate information, which should not be made available to the general public or to various competitors."[5]

[5] From Investopedia: http://www.investopedia.com/terms/c/confidentiality_agreement.asp

The CA is also referred to as a non-disclosure agreement (NDA), and is most typically unilateral in that only the consultant is restricted from specific or any disclosures about what is found on a project site. CAs are typically used to protect the proprietary information or patents or approaches a company owns or uses in its business, but have been subverted by developers and some landowners to hide occurrences of sensitive biological resources from resource agencies or the public.

References and Links

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Detailed information about the California Botanist Certification program can be found on the CNPS website under the Education dropdown tab (https://www.cnps.org/education/botanist-certification/).