



*A Division of Hancock Timber Resource Group,
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Rep. Whitsett -

My name is Kenneth Cummings and I was in Salem recently to testify in regards to HB 2050 at a hearing of the House Ag and Natural Resources Committee. I believe you were there and I appreciate your help in seeing that pass out of committee with "do pass" recommendation.

I am writing to you today in regards to HB 3171 coming up for hearing under the House Committee on Energy and Environment.

As a timberland manager with property in Jackson, Josephine, Douglas and Klamath counties I am acutely aware of pesticide rules under the Oregon Forest Practices Act and their effectiveness. The pesticide preemption statute currently ensures that pesticides are only regulated at the state and federal levels, preempting additional regulations by local municipalities. We do not need to give cities and counties the ability to regulate these tools, opening a virtual Pandora's box of new regulations. We do not need to change the way we are conducting business in Oregon in regards to pesticides, it works.

For the record - I Oppose HB 3171

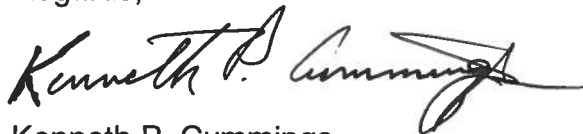
My understanding is this legislation will create unnecessary and costly regulatory changes including but not limited to the following;

- Local counties and municipalities are not technically or financially equipped to regulate pesticides.
- EPA and ODA have entire divisions devoted to regulating pesticides, and have access to the needed expertise on the issue.
- If cities and counties have pesticide concerns, ODA is required to consider them in the regulatory structure under ORS 634.065.
- Different restrictions on pesticides in different counties and municipalities creates a regulatory nightmare for manufacturers, distributors, users, and local governments.

- Users could potentially face new regulations from 36 counties and over 400 cities in Oregon.
- Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the instructions on a pesticide label constitute the law for that product. No one knows how local governments would go about informing users of additional regulations without putting them on the label.
- Any attempt to undermine this state pesticide preemption undermines the ability of growers to control pests effectively and economically.

I thank you for your consideration and support and if there is a chance to pass this on to Chair Bailey or other members of the committee feel free to do so.

Regards,

A handwritten signature in black ink, appearing to read "Kenneth P. Cummings". The signature is fluid and cursive, with a large, stylized initial "K".

Kenneth P. Cummings

Region Manager – Southern Oregon Timberlands - HFM