



February 28, 2013

Thank you Mr. Chair and members of the Natural Resources sub-committee for the opportunity to speak to you today. For the record my name is Betty Komp and I represent House District 22. That's Woodburn/Brooks/Gervias and North-east Salem.

All of my district is in the Willamette Valley and includes some of the best farmland in the world. Agriculture is the heritage of my district and its continued success is important to both the local economy and rural culture for my constituents. It is with that in mind that I come before you today.

The Department of Agriculture is of extreme importance to my constituents and many of them interact with the agency on a regular basis. The department should be praised for their great service to agriculture in Oregon as well as the citizenry at large. They serve an important role not only as a promoter of Oregon Ag products, but as a regulator as well.

To have a strong farm economy both of the roles are important. In an era of reduced budgets, our natural resource agencies continue to shoulder a large share of the burden. Because of this, I am always on the lookout for opportunities to save state agencies money.

Last summer a constituent contacted me about an issue involving the Department of Ag. Jerry Harchenko is an aerial applicator based out of Brooks. In 2011 Jerry was accused of pesticide drift while making an aerial application for a local farmer. After a thorough investigation by the ODA, Jerry was eventually cleared of any wrongdoing. In the meantime this costs Jerry \$40,000 plus in legal fees to defend himself.

What stuck out in this story to me, was not the investigation process or the fact that Jerry was found innocent, but that the accuser is someone whom ODA is very familiar with. The person who filed a complaint against Jerry filed 10 complaints in 2011 and 5 complaints in 2012. In total this individual has made over 30 complaints in the past five years. This was very concerning to me as each time someone files a complaint ODA must go out and investigate. This costs an average of \$8,500 per complaint, and can be substantially more depending on the situation.

Now let me say first and foremost, a strong regulatory structure for pesticides is important to all of us. My ag producers strongly support the program and want to ensure that bad actors are held accountable. One must ask though-- how much is ODA spending each year investigating complaints that are clearly frivolous? Out of 225 complaints in 2012, less than 25% resulted in violations. Meanwhile these investigations cost the department over \$1.5 million.

It appears that some anti-pesticide individuals are using this as a way to complicate the lives of applicators. By being a nuisance, it discourages applicators from doing their jobs. It has gotten so bad that many aerial applicators will refuse to spray fields near these serial complainers. This hurts our farmers as they don't have access to the tools they need to control pests in their crops, and our economy as a whole. It is also a substantial financial burden to ODA to investigate these constant complaints.

While I don't have a solution for you today, I am working with stakeholders to find a way to address this problem. ODA is doing a wonderful job working with us, and I am confident that we will find a solution.

Pesticides are clearly a controversial issue, and I applaud the ODA for their professional handling of the issue and their work with the EPA. They clearly want to protect people and the environment while also keeping important pesticide tools available for our farmers.

Lastly, I would be remiss if I didn't mention my support for the expansion of the Pesticide Stewardship Partnership program. Instead of taking a strict regulatory approach to the issue of pesticides in water, the PSPs work with landowners to find solutions. They have proven successful in the Hood River Area and I am happy to see the program will be extended to more watersheds.

I would like to thank you again for your time and look forward to working with you on a solution to our problem.