

A photograph of a dense forest of evergreen trees, with several pine cones in the foreground. The image is partially obscured by a green curved banner at the top and a dark green rectangular box at the bottom.

FORESTRY PESTICIDE REGULATION

Oregon Department of Forestry
Private Forests

Agriculture and Natural Resources Committee
December 9, 2014

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Background - Herbicides

Invasive weeds and brush can prevent new forests from growing and increase susceptibility to damage and death.



Himalayan Blackberry



Scotch Broom

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Background – Application Examples



Conifer seedling surrounded by Scotch Broom – no herbicides applied



Conifer seedlings surrounded by Scotch Broom – herbicides applied



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Roles and Responsibilities

**Protecting natural resources and
keeping forestlands healthy,
working, and sustainable**

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Roles and Responsibilities

U.S. EPA

ODA

OHA

OR-OSHA

DEQ

ODF

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Forest Practices Act - Rules

1970's
1st Pesticide
Rules

1995-
1997
Rules Reviewed
& Revised

2010-
2011
Rules &
Principles
Reviewed



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Forest Practices Act - Rules



NOTIFICATION OF OPERATION/APPLICATION FOR PERMIT

OREGON DEPARTMENT OF FORESTRY

OREGON DEPARTMENT OF REVENUE



Daily Chemical Application Record Form

ODF
ODA
USDA

This form outlines daily pesticide application information an applicator must record to meet requirements of the Oregon Departments of Forestry (ODF)¹ and Agriculture (ODA),² and the U.S. Department of Agriculture (USDA)³. An applicator may use a different form if the required

ODF

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Forest Practices Act - Rules

- Chemical - Spills, Mixing and Staging
- Protect Waters of the State
- Protect Streamside plants and other natural resources
- Monitoring rules – Effectiveness, cooperation, and specific to chemical use



ODF

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Monitoring - results

Cooperative

- Aerial Pesticide Application Monitoring (ODF 2000)
- Alsea Paired Watershed Study (NCASI 2013)
- South Yamhill River Pesticide Stewardship Partnership (2010-2014)



Independent

- U.S. Geological Survey and Eugene Water and Electric Board (2002-2010)



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Enforcement

U.S. EPA

ODA

OHA

OR-OSHA

DEQ

ODF

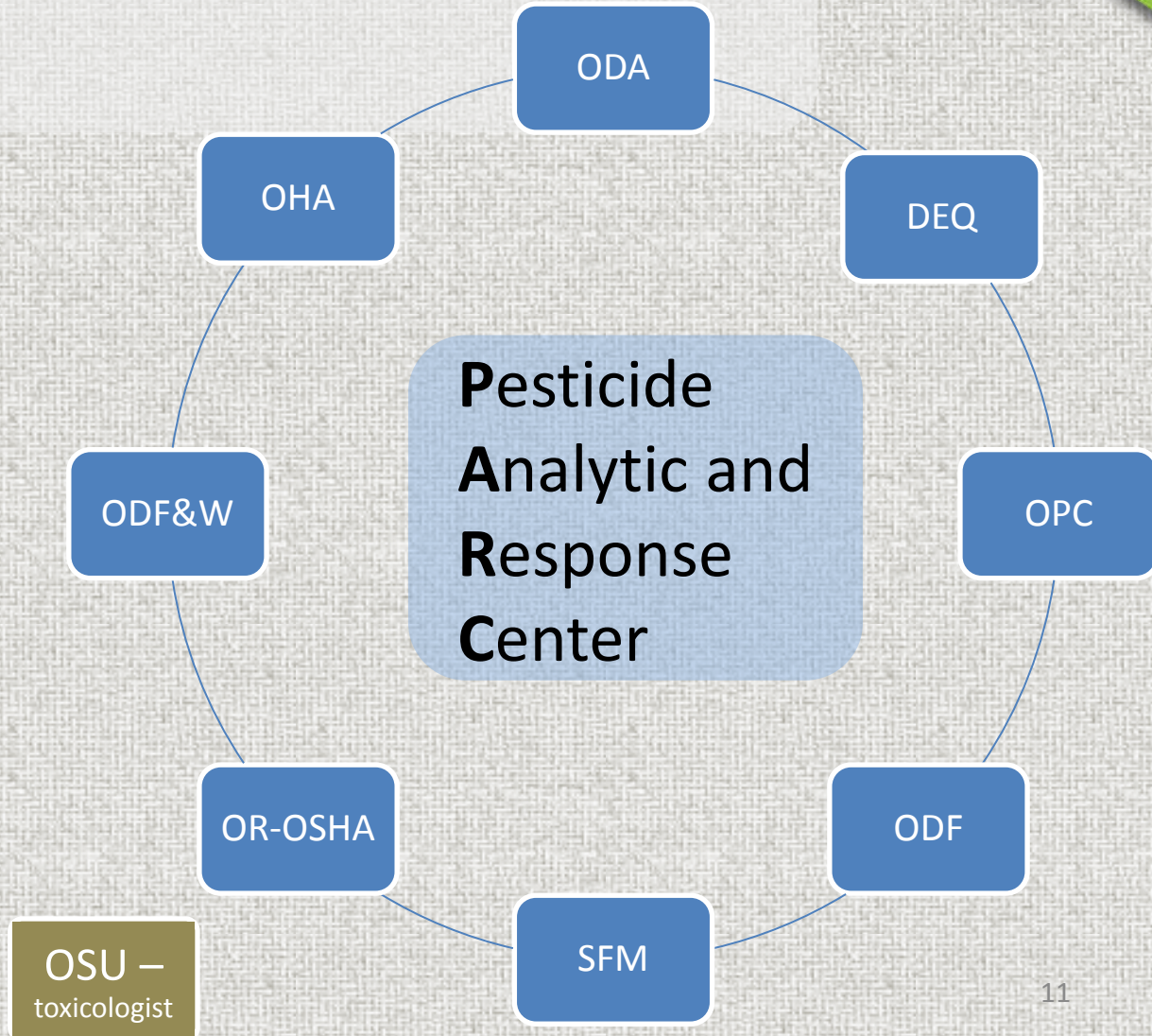
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Enforcement

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Enforcement – Collaborating



- Prompt Responses
- Continuous Improvement
- Revised Standard Operating Procedures

ODF - Pesticide Complaint Standard Operating Procedures

Purpose: To promptly respond to pesticide use complaints within the Department's authority, which involves protecting natural resources on forest lands and support the Pesticide Analytic and Response Center (PARC) members' investigations by clearly communicating complaint information to PARC and collaborating on investigations.

Scope: The Department will use the checklist and complaint form below for pesticide complaints for gather information from the complainant, provide public information, complete due diligence, and communicate the complaint to PARC.

Pre-complaint: Record the action date and the person's name who completed it in the boxes along the left side.

Receive Complaint (if referred to ODF, contact the complainant within one business day):

- Designate the external pesticide investigation contact.
- Emergency (method or safety) - get name and phone number - have them call 9-1-1 or Oregon Poison Control (800) 222-1222 immediately. Call back 1-2-3 days later to receive the complaint.
- Receive complaint. Listen, ask for information, and record complaint information on the attached form and complete all fields. (Enter NA if no information exists.)
- Provide information. Explain what will happen when it will happen, who the contact person is and their phone number, and share background information. Use this checklist information on the attached form and complete all fields. (Enter NA if no information exists.)
- Call health care provider for non-emergency. Use this checklist information on the attached form and complete all fields. (847) 688-2272 or use medical provider.
- Confidential health information should only be given to the Pesticide Analytic and Response Center (PARC).
- The Department of Forestry will investigate complaints within its authority, which is protecting natural resources on forest lands, and support the other agencies' investigations.
- I will send your report to PARC within 1 business day which ensures the agencies responsible for investigating them to people, property, or the environment about pesticide use and regulation. I can email you some helpful links: • Oregon Department of Forestry: <http://www.oregon.gov/odf/privateinvest/pages/pesticides.aspx>
- If you would like more information about pesticide use and regulation, I can email you some helpful links: • National Pesticide Information Center (NPIC): <http://npic.orst.edu>

Investigate Complaint: Set time to visit the person and site.

Forward Complaint: Does the Department have any regulatory authority? Circle one Y/N. If yes continue. If no refer the complaint to and support PARC immediately or receive complaint.

Open an investigation: Depending on the complexity, obtaining accurate information and completing a thorough investigation may last six months. Department investigators will:

- Visit active operations within file.
- Obtain daily application records.
- Forward daily application records.
- Evaluate FPA application records.
- Document the investigation. Take enforcement action when warranted.
- Complete investigation.

Report Results: After completing the investigation or issuing the enforcement document, whichever is later, the Department will share the results with PARC and interested parties within five business days.

Questions?

