



Oregon State Legislature
Oregon State Capitol
House on Agriculture and Natural Resources
900 Court Street NE
Salem, OR 97301

March 26, 2015

Sent via email to: chuck.gallagher@state.or.us

Oregon Wild and Sierra Club Written Testimony Regarding Reform of Aerial Pesticide Spraying by the Logging Industry, House Bills 3428 3123, 3434, 3429, 3430, and 3482

Dear Chairman Witt, and Members of the Committee,

On behalf of Oregon Wild and Sierra Club's ten's of thousands of members and supporters from across the state, we would like to submit this written testimony for your consideration as you contemplate much-needed reforms in aerial pesticide spraying by the logging industry. While we submit this testimony regarding the House bills up for consideration today, we believe Senate Bill 613, the Public Health and Drinking Water Resources Protection Act, represents a more reasonable, effective, and realistic approach to addressing this issue.

As you consider passing meaningful legislation on this issue, we urge you to ensure that any final bill include public notification, public access to timely spray records, and adequate buffers to protect homes, schools, drinking water, and salmon. Without those measures, it is unlikely any legislation will be effective in actually addressing the problem.

Concerns Regarding House Bills

- **HB 3428** – This bill simply creates a new certification requirement for pesticide applicators. It provides no mechanism for providing the public with advance notification of spraying so that they can protect themselves, their families, and their property, nor does it create any greater public transparency regarding what chemicals citizens, private property, or environmental resources have been exposed to. It also sets no new standards for buffers or other measures to protect human and environmental health. **We cannot support his legislation**, as it is unlikely to result in a meaningful improvement in how aerial pesticide spraying is conducted by the logging industry in Oregon.
- **HB 3123** – This bill would prohibit aerial pesticide spraying except under emergency conditions. This measure would effectively address many of the concerns that have been raised by citizens, medical professionals, and agency personnel. It would bring state logging practices up to similar pesticide application practices to those used on Forest Service and Bureau of Land Management (where the practice of aerial spraying was

largely abandoned decades ago due to environmental harm). **Oregon Wild and Sierra Club support this measure.**

- HB 3434 – This bill appropriates public money to fund the changes to the Pesticide Analytical and Response Center proposed in HB 3429. Because those changes would effectively undermine independent oversight of aerial pesticide application by the logging industry in Oregon, **we must oppose this bill.**
- HB 3429 – This bill makes changes to the board of the Pesticide Analytical and Response Center, effectively requiring anyone who serves on this board to either currently be employed by the pesticide and logging industries, or have been employed by those industries in the past. This would dramatically weaken the independence of this board, and effectively make the current problems facing Oregon in regards to our lax regulation of aerial pesticide spraying much worse. **We must strongly oppose this legislation.**
- HB 3430 – This bill simply requires the state to set up a 1-800 number for receiving pesticide application complaints, and file a report when such complaints are received. **Oregon Wild and Sierra Club must oppose this measure.** In the absence of other needed reforms it is not a good use of taxpayer resources.
- HB 3482 – Establishes greater public transparency for pesticide applications conducted for or by a state agency or local government entity. While this does not address the concerns of citizens and health professionals who currently cannot access information regarding pesticide application and possible exposure due to applications by private interests, it does at least address part of the problem. **Oregon Wild and Sierra Club support this measure.**

Requirements for Meaningful Legislation

We appreciate the time the House Agriculture and Natural Resources Committee is spending on these bills, and on the urgent need for reforms in how the logging industry conducts aerial pesticide spraying in Oregon. However, we believe Senate Bill 613, the Public Health and Drinking Water Resources Protection Act, represents a more reasonable, effective, and realistic approach to addressing this issue.

To truly address the problems caused by Oregon's inadequate aerial spraying rules, which are the weakest in the Pacific Northwest, any final legislation must include:

1. An advance notification system to allow members of the public to receive notice about the date and time of a spray, and the pesticides that will be used, so that they can take steps to limit their exposure to potentially toxic chemicals. The sound of an approaching helicopter should not be the only warning Oregon families receive.
2. Public access to spray records, provided in a timely and accurate fashion. Concerned Oregonians should have access to records so that they can know what has been applied in their watershed and near their homes, and so that medical professionals have the information they need to respond to medical emergencies resulting from pesticide exposure.
3. A process for establishing adequate no-spray buffers around homes and schools, as well as enhanced buffers to protect drinking water systems, fish bearing streams and their tributaries, municipal drinking watersheds, and other important environmental values.

These three issues are at the core of the problems facing Oregon today in regards to logging and our weak aerial pesticide spraying rules. No legislation should claim to actually address the problem unless it includes provisions that respond to these needs. As it currently stands, we believe SB 613 best addresses the problems facing Oregon today, and should be the primary vehicle for further legislative action this session.

We thank you for your time and consideration of this urgently important issue, and stand ready to work with your committee to pass meaningful aerial pesticide spraying reform legislation in 2015.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Pedery".

Steve Pedery, Conservation Director
Oregon Wild

A handwritten signature in black ink, appearing to read "Rhett Lawrence".

Rhett Lawrence, Conservation Director
Sierra Club, Oregon Chapter