



March 22, 2017

**Senate Environment & Energy Committee
Chair Senator Michael Dembrow**

Testimony Submitted by Barry Bushue, President of Oregon Farm Bureau

RE: SB 892

On behalf of Oregon Farm Bureau, thank for the opportunity to testify on SB 892. Hundreds of Farm Bureau members own and manage timber land throughout the state. SB 892 would dramatically hinder their ability to control invasive and noxious weeds on their private property and raise productive forests.

SB 892 creates specific notice requirements, including exact date and location, for forestry pesticide applications. Creating a requirement that a landowner must list a specific date for application that is no less than 7 days ahead is gambling with mother nature. To ensure accuracy and safety, applications must occur when weather conditions are optimal and under the wind requirement on the pesticide product labels. SB 892 puts landowners' operations at the whim of a guess.

Farm Bureau is extremely concerned with the precedent this bill sets for all applicators to notify before an application. The issues with unpredictable weather are the same for agricultural operations.

The legislation also requires reporting within two business days specific information related to the application including the landowner, the applicator, the product (including quantity and rate), the date, time and conditions of application, weather condition and location of the application.

Farm Bureau opposes this version of pesticide use reporting. In 1993, the Oregon Legislature passed with Farm Bureau's support legislation creating a Pesticide Use Reporting System (PURS). The legislation required the information submitted be done in a manner that personal information related to an application's location or the applicator's business could be kept private for their personal safety.

I served on the PURS advisory board that developed the administrative rules and guiding policies. SB 892 is in direct opposition of the hours and investment of our work.

It was a legislative decision to defund and pause the PURS program. The program was defunded in the 2007 Legislative Session. In 2009, through a process initiated by Representative Clem, stakeholders agreed to extend the sunset for the PURS program. These stakeholders also agree to initiate no efforts that would further alter the substance of the PURS system until the law comes under review in 2019. (see Memorandum of Understanding attached)

There is no question that the reporting requirements in SB 892 are a rework of the pesticide use reporting system. They may come under a different name and be limited now to one industry segment, but this legislation is unacceptable under the 2009 agreement.

MEASURE: HB 2999A
EXHIBIT: 14
2009 SESSION S ENV & NAT RES
DATE: 5/19/09 PAGES: 1
SUBMITTED BY: Oregon's Pesticide
Use Reporting System

Memorandum of Understanding

Date: May 18, 2009

To: Governor Kulongoski,
All Senate and House Members
Katy Coba, ODA Director
Interested Parties

From: Oregonians for Food and Shelter
Oregon Farm Bureau Federation
Northwest Coalition for Alternatives to Pesticides
Oregon Environmental Council

Re: HB 2999 and Stakeholder Agreement Regarding Oregon's Pesticide Use Reporting System (PURS).

To Whom It May Concern:

Through a process initiated by Representative Brian Clem the many stakeholders engaged in Oregon's Pesticide Use Reporting System (PURS) came to an agreement during the 2009 legislative session. That agreement is embodied in HB 2999-B (HB 2999-A with the dash-A7 amendments).

All stakeholders agree that the sunset for PURS will be extended until June 30, 2019 in order to allow for six more years of data collection. If HB 2999-B is passed in the 2009 legislative session, all stakeholders agree to initiate no efforts that would further alter the substance of the pesticide use reporting system until the law comes under review in the 2019 legislative session.

The stakeholders also agree that none of them will oppose funding for the PURS program or the use of the current 50/50 pesticide registration fee/General Fund split during that same time.

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