

March 22, 2017

SB 500

Chair: Senator Micheal Dembrow
Senate Committee On Environment and Natural Resources

Chairman Dembrow and members of the Committee,

My name is Denver Pugh and I am a sixth generation farmer farming with my family in the Shedd area and I oppose SB 500. I have strong concerns that this bill would remove the requirement that individuals file a "Report of Loss" form before taking legal action.

On my farm we are mainly grass seed production but also produce other seed crops such as wheat and clover to name a few. To maintain a high quality, I rely on spraying certain treatments on these crops. When spraying anything on my farm, pesticide use is taken seriously and we have policies and procedures in place to make sure we are not impacting our neighbors. For example, monitoring wind speeds and direction, knowing what my neighboring crops are and reaching out to them if I think there might be concern are just a few of the procedures we take before applying anything. Even with these precautions in place, I still had received a complaint in the past. Without going into too much detail, the organic tree and shrub nursery thought I had damaged some of his trees through spray drift. When a "Report of Loss" form is filed it triggers an investigation by the Department of Agriculture and then the applicator, myself in this instance, is notified. Timely investigations are important so samples can be collected and both parties can engage with the agency. In this case, it was found that it was not chemical drift on my part but indeed hail damage from a recent storm that had hit.

This particular event with this nursery was my only negative encounter with them but I had received investigative calls from the Department of Agriculture on other complaints to other neighboring farms that surround this nursery. If it weren't for this investigation process done by the Department of Agriculture, brought on by the filling of a "Report of Loss" form, I'd be concerned that my family's farm as well as others would not have been so fortunate and would be vulnerable to frivolous lawsuits with "he said/ she said" disputes with weak and conflicting evidence.

I urge you to please oppose SB 500.

Sincerely,

Denver Pugh
Pugh Seed Farm Inc.