



Thank you Chair Witt and members of the Committee for the opportunity to provide comments on HB 3044. My name is Mark Wall and I am the Land & Timber Manager for Roseburg Forest Products. I am a professional forester who has practiced forestry in the Oregon Coast Range for over 30 years. I am opposed to HB 3044 for the following reasons;

- This bill circumvents the authority of Oregon Department of Agriculture who already has regulatory jurisdiction over aerial applications to forest and agricultural lands. There is no reason whatsoever for this jurisdiction to be duplicated through its empowerment of DEQ to do what ODA already does.
- ODA, not DEQ, is the agency with the delegated authority to enforce the Federal Insecticide, Fungicide and Rodenticide Act in Oregon. DEQ does not have the staff, expertise, or working knowledge to comprehend and understand the comprehensive suite of federally registered products available to landowners and how they are used in Oregon.
- DEQ does not have the expertise, staff, protocols, or systems in place to field a complaint of spray drift and conduct a thorough investigation. ODA has the regulatory authority to investigate spray complaints and is the right agency to appropriately investigate and adjudicate them.
- How does DEQ intend to determine drift based solely off records submitted 7 days after application? Will every operation be investigated to determine if drift occurred? Who will investigate these claims and how does this investigative authority conflict with ODA's responsibility and primary jurisdiction in these cases.
- Some of the real time reporting requirements such as wind direction, wind speed, direction of flight that must be kept at all times while flying are unrealistic to collect and impractical as to any intended use. Applications do not occur in a straight line or at the same elevation particularly in hilly forested terrain. What is the intended use of this information and does the sponsor realize just how much information this will entail if it is even feasible to collect? These new reporting requirements are inconsistent with current reporting requirements of ODA, ODF, and the federal WPS and serve no practical purpose whatsoever.

If the legislature is interested in tracking and reporting on pesticide use in the state of Oregon which appears the ill-conceived intent of this bill, then this committee should recognize that the Pesticide Use Reporting System is already in place to accomplish this objective. An alternative to passing this bill while meeting similar objectives would be for the Legislature to simply pass HB 2980 which allow this reporting system to continue on thru 2029 instead of allowing it to sunset in 2019 and amending this bill or passing a separate bill that provides the funding necessary for PURS to meet its original intent. The PURS system also covers all application methods and does not single out Aerial application methods as this poorly constructed bill proposes. Thank you.

Mark Wall