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Oregon House Natural Resources Committee

My attention has been brought to the content of Oregon State House Bill 3044. After reading the Summary, Bill For An Act and having given it some time and thought, my conclusion is this:

I am certain that the intent of this Bill has great meaning behind it, however, being an Aerial Applicator myself I do not see the need of this proposal. I belong to a small group of astute professionals that have profound respect for the law, the land and the people of Oregon and beyond. Aerial Applicators, whether it be helicopter or airplane, are highly trained stewards of the agriculture, timber, and rangeland industries.

The flight training as well as the crop and chemical knowledge possessed by an Aerial Applicator is second to none. We are required to go through rigorous flight courses and checks that are overseen and proctored by the Federal Aviation Administration. After we have completed our training which costs north of \$100k, we still must demonstrate regulatory and flight proficiency knowledge on a bi-annual basis to maintain our currency and license privileges. When we have chosen the career path in aviation as an Aerial Applicator we must again gain knowledge through each state's Dept of Ag. We must learn and demonstrate proficiencies in Laws and Safety, Fungicide/Insecticide, Herbicide, Rodenticide, Right of Way, and Forestry as well as a recently mandated actual Aerial Application certification in addition to our Commercial Applicator and Commercial Operator certifications and licenses. To keep these licenses and certifications current we must also take continuing education courses to earn credits for our re-certifications that are required every five years, although we do still pay to the Dept of Ag our license and certification renewal fees on an annual basis. In addition to all of this we must maintain very costly insurance policies for both our liability of application and for our aircraft.

Part of our job is to know and understand the labels of the chemicals that we are applying, how they work, what they do, what we must wear and provide for personal protective equipment, how we must post the field after an application job and the records we must provide to the customer. We too must keep these records in our files for three years from the date of application. The documentation that we must provide and keep includes the customer, field, crop, chemicals used, rates, total used, acres sprayed, wind direction, temperature, time started and stopped and date. We must provide these records to the customer within three days of application. Within the rules and regulations of the Oregon Dept of Ag, we have stringent guidelines of which to follow while performing the applications. There are general rules of thumb as far as atmospheric conditions which would be conducive to "on-target" applications. Various factors go into the decision making for a successful application. These include:



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temperature, inversion, wind speed and direction, chemical being applied, total tank mix, viscosity, gallons per acre, droplet size, airspeed, terrain/topography, crop, canopy size and many others. To say the least, the decision to make the application is not a knee jerk reaction, it is rather a consideration of many factors that require an in-depth glean of extensive experience and knowledge to make the determination that the application can be performed safely, correctly and on-target.

Recently our industry in Oregon has been under additional scrutiny because of a few “bad-eggs” amongst us. A particular operator has been known in the industry for some time as being a “cowboy” and not one with whom you would want to associate with. He has been fined on several occasions and finally the OR Dept of Ag pulled his license on operator certificate. This has been a blessing in many ways but mostly because we as an industry no longer have a rogue operator that tarnishes the image of the rest of us who are trying our best to do our job the right way. None-the-less, his actions have caused grief amongst the rest of us and making the front page of the Oregonian is not a great way to get publicity in an already sensitive industry. However, his infractions and subsequent fines and enforcement by the OR Dept of Ag demonstrates that we already have in place systems that work to weed out people who have blatant disregard for the laws and regulations that the rest of us are working so hard to follow. I am not sure what the operator’s end game was for doing the things he did and how he did them but I can safely speak for everyone else in the industry that to purposely jeopardize our own profession is not in ANYONE’S best interest.

The long and the short of it.....

The Aerial Application Industry is one that takes our job VERY seriously. From a safety, crop, human, soil, water and animal perspective, we have all of these aspects plastered in our minds and on our windscreens. We have chemical manufacturers, consultants, farmers, irrigation districts, EPA, Dept of Ag(s) and ourselves all wanting to do the best job possible for a successful outcome for all. We have PLENTY of safeguards and double/triple checks in place as well as a plethora of enforcement actions and levies if we step out of bounds. A good system is already in place, let it work as designed. We don’t need any more oversight.

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