Oregon
Kate Brown, Governor

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Honorable Michael Dembrow, Chair
Senate Environmental and Natural Resources Committee
Room S-407, State Capitol
900 Court St. NE
Salem, OR 97301

Re: Senate Bill 926 – Relating to the aerial application of pesticide to state land.

Dear Chair Dembrow and Members of the Committee:

The undersigned natural resource agencies submit this joint letter in reference to Senate Bill 926. To be clear, we have no position on the bill and submit this letter to the Committee during deliberation of the policy merit of Senate Bill 926. This letter is submitted jointly by the Oregon Department of Forestry (ODF), the Department of State Lands (DSL), and the Oregon Department of Fish and Wildlife (ODFW).

In general, state agencies apply pesticides by air as part of an integrated approach to managing forestlands and rangelands. In particular, the Oregon Department of Forestry (ODF) employs the use of aerial application of pesticides in the management of 729,000 acres of state-owned forests to achieve the greatest permanent value to the state by providing a full range of environmental, economic, and social beneifts to Oregonians. Revenue generated from timber harvest of these forests is shared with counties, rural schools and local taxing districts. Similarly, ODF manages 33,074 acres of Common School Lands under contract with the Department of State Lands (DSL). Revenue from these forestlands contribute to the Common School Fund.

During the timber harvest planning process, management units are assessed to develop a prescription for reforestation. Pesticides are used to help control initial vegetation that can overwhelm young seedlings right after they are planted. Reducing the competing vegetation, ensures that seedlings and young trees have adequate sunlight and available soil moisture, which allows the trees to survive and grow. Some harvest units lend themselves to the use of ground-based application of pesticides. However, many of these forestlands are too steep for application of pesticides by backpack spraying. Cost of reforestation is also a significant factor in these field-level decisions. To ensure compliance with the reforestation requirement in the Forest Practice Act, in fiscal year 2018, ODF aerially applied pesticides to 4,166 acres at cost of approximately $30 per acre, for a total cost of approximately $125,000. Current rates for backpack application are approximately $100 per acre. These costs are an important factor in management decisions due to the fact that state forests are managed exclusively by the revenue generated from timber sales,

receiving no support from the general fund, and that revenue is shared with local governments. Areas reforested without vegetation control can result in up to 60 percent planting failure, thus requiring a second reforestation effort the following year. This has significant financial implications. Planting costs for labor and seedlings is approximately $300 per acre. Using fiscal year 2018 numbers on state forests, replanting area could be as high as 2,500 acres, increasing reforestation costs up to $1.5 million per biennium.

Safe and effective application of pesticides is a state priority on public lands. Prior to application, state agencies take various precautions to minimize the potential for pesticides to drift to other areas of the forest, such as monitoring weather conditions like wind, temperature, relative humidity, and inversions. Additionally, all state forests reforestation units are surveyed prior to aerial application to ensure no one is present in the unit or the surrounding area. Roads and trails are blocked to control access to the area while the application occurs.

In addition, aerial application of pesticides are a tool to rapidly arrest the spread and/or prevalence of some invasive insects and vegetation. Aerial application has recently been successfully used in an interagency eradication efforts for gypsy moth, an invasive forest pest. This effort utilized an insecticide registered for organic agriculture. Outbreaks of native forest pests can also be mitigated through the use of aerial application of pesticides using a species specific, naturally occurring virus. Similarly, state agencies are active in using pesticides to combat outbreaks of the invasive Japanese beetle. Introductions and outbreaks of invasive species can occur on any land type, necessitating a cross boundary approach to eradication efforts which may include State lands.

State agencies employ aerial application of pesiticides for very specifc cases on other state-owned forests and rangeland. Encroachment by and subsequent establishment of invasive plant species on ODFW lands continues to be a threat to sustainable and important wildlife habitats. A large proportion of ODFW lands (especially east of the Cascades) are in remote/rugged areas and inaccessible to ground based equipment. ODFW uses many tools to control invasive species or manipulate vegetation to renovate wildlife habitats. The primary means to control this vegetation on large blocks of inaccessible land is by aerial application of herbicides. Without the ability to renovate these lands, vast areas of ODFW lands would be left in a highly degraded state and wildlife values would be vastly diminished. Currently when ODFW uses federal dollars from the U.S. Fish and Wildlife Service (USFWS) to fund aerial application of herbicides a Pesticide Use Plan is required. This plan evaluates impacts to Federally listed fish and wildlife species. If listed fish species are in the area further review with National Marine Fisheries Service is required by the USFWS before approval to use these funds is granted.

The Oregon Department of Agriculture manages the Pesticide Analytical Response Center (PARC), which coordindates investigations to collect and analyze information about reported pesticide incidents. Member agencies conduct most of the investigations and take any necessary enforcement action(s). PARC is mandated to perform the following activities with regard to pesticide-related incidents in Oregon that have suspected health or environmental effects: collect incident information, mobilize expertise for investigations, identify trends and patterns of problems, make policy or other recommendations for action, report results of investigations, and prepare activity reports for each legislative session.

In summary, aerial application of pesticides is a cost-effective and efficient tool to manage state-owned foestlands and rangelands, including ensuring successful reforestation efforts and rapid response to arrest the spread of invasive species. Aerial application is one tool in a balanced,

integrated approach. We fully acknowledge that, as state agencies, we are trusted to manage public resources for a range of public values while maintaining a high standard of safety and environmental prudence for the lands cherished by Oregonians. We recognize the need for and are commited to the careful application of pesticides to provide for and protect the natural resources that Oregonians cherish.

Sincerely,

Peter Daugherty, State Forester, Oregon Department of Forestry
Curt Melcher, Director, Oregon Department of Fish and Wildlife
Vicki Walker, Director, Department of State Lands