

# 2017 Oregon State Legislature

## 2017 Oregon Forest Practices Act Modernization Timely Notification and Post-Spray Report

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### Statement of the problem

In Oregon, the law allows an aerial herbicide application to take place within 60 feet of a home or school building. Yet, individual residents, schools, medical and public facilities receive no timely notice prior to aerial pesticide applications on nearby industrial or state forest land. Oregonians need timely notification to protect their children, pets, livestock and drinking water.

### SOLUTION

The FERNS Notification system is a web-based, centralized database of all forestry operations managed by the Oregon Department of Forestry. The FERNS system typically requires a 3-12 month notification window for herbicide use. People need a warning that is not 3 -12 months into the future. It is entirely feasible to shorten the notification period to from 3-12 months to a few days to provide timely notification. Also, under current rules, there are no available records of pesticide use, which leaves agencies and the public unable to monitor the impacts of chemical use in forestry. This bill proposes that five days following a spray operation, permittees can also report types and quantities of chemicals on the FERNS system. The proposed rule is necessary because better communication would allow affected communities and landowners to work collaboratively to minimize risk. The proposed rule is practical and builds off of existing regulatory infrastructure, such as FERNS, and mandatory spray record keeping.

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