

From: Al Schiffer

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To: Dakota Soda

House Ag Clerk State of Michigan

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RE: House Bill 5700

Notes for House Bill 5700

My name is Al Schiffer

Partner in Al's Aerial Spraying, LLC

President of Michigan Agricultural Aviation Association (MAAA)

Past president of the National Agricultural Aviation Association (NAAA)

I am very concerned about the passage of this bill. Specifically

Amendments to PA 451 MCL 324.8320

I was the MAAA representative back in 1994 when these rules and regulations were drafted and sign into law. I and several representatives from many diverse groups were instrumental in working on this important piece of legislation. At that time, the moderator was then State Representative Debbie Stabenow. We had people around the table from all sides of the issue. Lawn care companies, golf course representatives, indoor pest control, mosquito control, right of way operators, league of women voters, west Michigan environmental action

committee, and others, as well as myself representing the agricultural aviation industry.

Section 8315 of the Act talks about the requirements to aerial apply pesticides in the state of Michigan.

I assume you have all read and studied this section of the Act.

It puts forth the requirements to become an aerial applicator in Michigan.

It also puts forth the requirements to maintain the privilege to continue to operate safely in Michigan.

The MAAA is all about the professionalism and safely applying pesticides in Michigan. The applicators regularly attend what we call an Operation SAFE Clinic. (SAFE stands for Self – Regulating Application and Flight Efficiency). In response to the US Department of Agriculture’s concern over the possible effects of spray drift, members of the National Agricultural Aviation Association (NAAA), developed Operation SAFE. The intent to of Operation SAFE is to clearly demonstrate that ag aviation recognizes its responsibility to minimize the potential for adverse health and environmental effects of agricultural chemical application. This program was approved developed and approved by the Board of Directors in 1981. This program is still the best management practice in place today. It has gone thru changes to improve how we administrate and implement the program. SAFE is a comprehensive program of education, professional analysis of application, and commitment to the principles outlined by the NAAA. It offers substantial advantages to the operator, the customer, and the producers of chemicals applied by air. These advantages are found in economy of operation and application, as well as an increase in safety and reduced environmental concerns.

We are very fortunate to have our own Operation SAFE professional analyst in Michigan. John Hill is a Regional Supervisor and Operation SAFE Analyst, working for the Michigan Department of Agriculture. He attends annual recurrent training thru the NAAA. We have an annual Operation SAFE clinic in Michigan hosted by a licensed operator. I would invite you all to attend one of these annual events. You can see first hand why the applicators in Michigan have set the bar very high for our licensed professional aerial applicators.

There are many pieces for a successful program like this. One is we actually fly aircraft across water sensitive papers and collect the water drops to do an analysis of the droplet spectrum and to determine a swath width. This is one piece of what

we do. Also of importance is the inspection of each operator's aircraft. You can't produce the correct droplet size and swath width if your aircraft is leaking material, using the wrong nozzles, or flying the wrong speed or height above the ground.

Michigan Section R 285.637.4 Standards for pesticide use, is where we go for the guidelines for the inspection of an aircraft. Rule 4, section h. i thru vi, I am assuming you have all read this prior to this hearing also. There are 7 parts or pieces on the aircraft that we look at. The inspection typically takes about 15 minutes if everything is correctly in place on the aircraft. The inspector will request and follow up with any items not correct. These are simple items like, Clamps and hoses, use of dry break connections to minimize spills while loading, checking the screen size, and gaskets and o-rings to name a few.

As I said, the members of the MAAA, were instrumental in the writing of these rules years ago and we still firmly believe in conjunction with the MAAA, NAAA Michigan State University and the Michigan Department of Agriculture, we can continue to have the least impact on the environment, and the people and animals that live in it. Our job is to make sure we have enough quality food to each to eat, and protect our Michiganders from disease and keep our forests healthy.

These Operation SAFE clinics and inspections can be completed anywhere in the United States of America, as most all states offer this service most every year. In Michigan, if you need an inspection, and can't get to a clinic, I know that our Department of Agriculture employees have gone out of their way to accommodate operators in and out of our state. If an operator is not attending a Operation SAFE Clinic, then that shows a lack of professionalism for our industry in my opinion.

The MAAA representing the Aerial Application Industry in Michigan does want all operators operating in Michigan to uphold the strong standards we have championed for many, many years. And it works because the operators have very few pesticide complaints every year.

Why would we want to slack off on what we have seen working in Michigan. I do not feel that we should give reciprocity and change the rule to allow an out of state operator to operate under reduced standards than the rest of the operators already comply with in Michigan. We welcome and need others to operate in Michigan, as long as we are on a level playing field. Why would we want to give someone out of state an advantage over a Michigan operator? We have a lot of out of state operators that already comply with the regulations and work in Michigan. There are 14 licensed aerial application business's based in Michigan and 7 licensed

business's from out of state. These operations have all complied with the rules for many years. Most of the potatoes, seed corn, field corn and other crops in the southern counties of Michigan are actually already being treated by those properly licensed out of state applicators. These operators regularly use many Michigan airports to support their operation. We Michiganders pay for the upkeep and maintenance of these airports. A lot of the operators in Michigan also work in other states and comply with their rules and regulations.

The MAAA strongly does not approve of this amendment to House Bill 5700

Thank you