February 2, 2022

The Honorable Julie Alexander
Chairwoman, Agriculture Committee
The Michigan House of Representatives
124 North Capitol Avenue
Lansing, MI 48933

Dear Chairwoman Alexander:

The National Agricultural Aviation Association (NAAA) appreciates the opportunity to provide input to the Michigan House of Representatives, Committee on Agriculture, about Michigan House Bill 5700 introduced January 27, 2022.

Background on U.S. Aerial Application Industry
NAAA represents the interests of the 1,560 aerial application industry owner/operators and 2,028 non-operator agricultural pilots throughout the United States licensed as commercial applicators that use aircraft to enhance the production of food, fiber, and bioenergy; protect forestry; protect waterways, pastureland, and ranchland from invasive species; and control health-threatening pests, including mosquitos and other insect pests that spread West Nile virus, Zika virus and other deadly diseases. Approximately 28 percent of crop protection product applications to commercial farmland are made aerially. As a result, NAAA estimates that 127 million acres of cropland are treated via aerial application in the U.S. each year. This doesn't include the substantial number of aerial applications that are made to pasture and rangeland. Aerial pest control for managers of forests, waterways and public health also add to these many millions of acres treated annually.

Aerial applications are often the only, or most economical method for timely pesticide application. Additionally, aerial application is conducive to higher crop yields, as it is non-disruptive to the crop and causes no soil compaction, thus improving soil health and the amount grown per acre.

The aerial application of crop protection products results in greater harvest yields of crops. This in turn results in less land being used for agricultural production, preserving more wetlands for natural water filtration, forest ecosystems for carbon sequestration and habitat for threatened and endangered species. In addition, aerial applicators seed 3.8 million acres of cover crops annually. This means that aerial applicators are responsible for helping to sequester 1.9 million metric tons of CO2 equivalent annually, which according to the EPA would be the equivalent of removing approximately 412,000 cars with carbon-combustion engines from the roads each year. Throughout the years due to educational programs and application equipment testing programs that will be described later, the U.S. aerial application industry has markedly reduced aviation aircraft accidents and markedly reduced aerial drift incidents.

Comments About Michigan House Bill 5700
As NAAA understands Michigan House Bill 5700, it would amend Michigan's Natural Resources and Environmental Protection Act of 1994 to allow reciprocal agreements with other states or federal agencies for the purpose of accepting certification or registration required for pesticide applicators, if those states or federal agencies have an approved program to certify or register applicators, and if the requirements for certification or registration by those states or federal agencies equal or exceed the certification or registration requirements of Michigan. NAAA supports reciprocity that ensures an equal or exceeding level of certification. Many U.S. aerial applicators are itinerant in nature. They will travel to one location or another to aid their fellow aerial applicators in other regions, assisting them in the event of a pest outbreak, or abundance of other application work that a local aerial applicator cannot handle without assistance due to the time pressures protecting a crop may sometimes bring. Reciprocity of equal or more rigorous requirements helps facilitate

aiding local aerial application businesses. However, provision (2) of Michigan House Bill 5700 would alter reciprocity requirements for out of state aerial applicators by exempting them from key environmental and professional requirements in which Michigan aerial applicators must abide, such as by removing from Michigan's Natural Resources and Environmental Protection Act of 1994 that every three years requires Michigan aerial applicators to:

> **Aerial application of pesticides; requirements. Sec. 8315.**
> (a) Demonstrate to the director the applicator's personal participation in a self-regulating application flight efficiency clinic sponsored or recognized by the Michigan cooperative extension service and approved by the department with an aircraft that the applicant operates.

Self-regulating Application and Flight Efficiency clinics, also known as Operation S.A.F.E. (Self-Regulating Application and Flight Efficiency) clinics or fly-ins, are clinics where aerial applicators have their aircraft spray systems tested for droplet efficacy and drift prevention. Aerial applicators participate in Operation S.A.F.E. fly-in clinics to evaluate their aircraft set-up, nozzle selection and calibration, boom adjustment, and application efficiency. Clinic analysts verify spray pattern, droplet size, and calibrate the aircraft performance to ensure the application set up is making the most efficacious application possible to protect a crop and to ensure the mitigation of off target drift or droplets so the applied materials go where intended to ensure environmental safety and safety to nearby crops.

Analysts Evaluate Aircraft Performance in an Operation S.A.F.E. Fly-in Clinic

Operation S.A.F.E. was developed in 1981 and was designed to clearly demonstrate that ag aviation recognizes its responsibility to minimize the potential for adverse health and environmental effects of agricultural chemical applications.

NAAA is convinced that full implementation of Operation S.A.F.E. offers substantial advantages to the operator, his customers, and the producers of chemicals applied by air. These advantages are found in economy of operation and application, as well an in increased safety and reduced health and environmental concerns. The key to the effectiveness—and acceptance—of aerial application is the spray pattern of the aircraft itself and the dedication of operators to its accuracy. Swath study and analysis have been a part of aerial application since the first plane dusted an Ohio catalpa grove in 1921. Since that time, scientists at land grant universities, private corporations, and aerial applicators have been active in improving the state-of-the-art of aerial application. Chemical manufacturers have worked on chemical formulations and additives to improve the pilot's ability to put the product on the target. Today, equipment is available to provide the operator a precise picture of swath characteristics, and to provide it quickly. Thus, the Operation S.A.F.E. fly-in becomes a professional application analysis clinic. The Operation S.A.F.E. clinic gives the operator and pilot the opportunity to test his equipment with a trained analyst to help interpret the information and to recommend changes to improve performance. A follow-up test is immediately available, so the operator can be certain improvement does exist.

In addition, participating applicators learn compliance with manufacturers' mixing rates, application recommendations, and label requirements of agricultural chemicals; their adequacy of safety procedures in storing and handling agricultural chemicals; and compliance with flight safety procedures. NAAA urges every operator and pilot to participate in an

Operation S.A.F.E. clinic yearly. At a minimum, the Operation S.A.F.E. Committee suggests an aircraft be pattern tested every 24 months or after any major changes to their application equipment.

As such, NAAA strongly suggests that the requirements for participation in a self-regulating application flight efficiency clinic remain for all applicators conducting work in the state of Michigan—whether or not those operators are Michigan operators, or out of state operators. Clinics are offered year-round and nationwide for both Michigan aerial applicators and aerial applicators out of state to participate.

We appreciate the opportunity to provide you and the Michigan House Agriculture Committee feedback about Michigan House Bill 5700.

Please don't hesitate to contact me with any questions.

Sincerely,

Andrew D. Moore
Chief Executive Officer