

Shine light on forest sprays

The Triangle Lake area has become a battleground in the half-century-long conflict over the use of herbicides on Oregon's private forest lands. The Triangle Lake case has brought to light one aspect of the conflict that demands legislative attention: Information about the quantities and types of herbicides being used is inexcusably hard to obtain.

Beyond Toxics, a Eugene environmental organization, released an exhaustive report last month documenting a steep increase in the volume of herbicides applied to private forest lands in the Triangle Lake area over a three-year period ending in 2011. The wealth of detail in the report was made possible only because people in the area, concerned about the health effects of chemical exposure, asked the Oregon Health Authority to investigate. The records of herbicide applications were obtained from the health authority, not from the state Department of Forestry.

Landowners must notify the Department for Forestry of their plans to apply herbicides. The notifications list which chemicals might be used, but not which ones will actually be used, during a certain period, usually 12 months. These notifications are not subject to review and do not require the department's approval.

Landowners must maintain records of their actual pesticide applications, but these documents remain in private hands and are made available to the forestry department only at the request of the state forester. Were it not for the health authority's investigation, Triangle Lake residents would have only a dim idea of the types and quantities of herbicides that had been sprayed in their area.

The information vacuum is illustrated by a case in Gold Beach, where two dozen residents complained of headaches, blurred vision, joint pain and other problems after an aerial application of herbicides on nearby forest land in October. Residents have petitioned the U.S. Centers for Disease Control and other federal agencies for an investigation. As in Triangle Lake, the nature of the residents' exposure, if any, will become known only if an agency other than the Department of Forestry gets its hands on the records. Meanwhile, doctors are in the dark about how residents' health complaints should be treated.

The absence of information is a deficiency of the Oregon Forest Practices Act, which provides no process for public or agency review of herbicide application plans, allows herbicide application records to remain private and permits the private records to be destroyed after three years. Washington state's counterpart to the Forest Practices Act is stronger in all these respects.

Other provisions of Oregon's law relating to forest applications of herbicides are also weaker than Washington's — notably its protections for streams, wetlands, groundwater and adjacent properties. Oregon, for instance, requires aerial spray applicators to observe a 60-foot buffer zone along fish-bearing streams, while Washington requires buffers of 100 to 150 feet. Oregon, unlike Washington, requires no buffer at all along non-fish-bearing or intermittent streams. The risk that fish, wildlife and humans will be exposed is magnified as a result.

The Legislature should address these weaknesses, using Washington's law as a minimum standard. As long as herbicides are used as a tool on private forest lands, protections will be needed — and people will need access to information allowing them to assess the real or potential effects on the environment and their health.