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# Oregon Aerial Pesticide Bills Get Hearings In Salem

by **Jes Burns** (</contributor/jes-burns/>) [Follow](#) OPB/EarthFix April 3, 2019 11:15 a.m.



Two bills moving through the Oregon Legislature would change how timber operators and the state of Oregon use aerial pesticide spraying.

The Senate Environment and Natural Resources Committee took up the legislation Tuesday in Salem.

### Senate Bill 926

This photograph of a helicopter spraying herbicides is among hundreds whistleblower Darryl Ivy released after a month working for Applebee Aviation driving trucks and handling pesticides on Seneca Jones Timber Company sites.

(<https://olis.leg.state.or.us/liz/2019R1/Measures/Overview/SB926>) would completely ban the use of aerial spraying on state-owned land. Senate Bill 931

(<https://olis.leg.state.or.us/liz/2019R1/Committees/SENR/2019-04-02-13-00/SB931/Details>) would strengthen notification requirements for pesticide applicators, ensuring neighbors have one to two day notice before an aerial spray will occur.

After a forest is clear cut, herbicides are used to kill unwanted vegetation that competes with newly replanted tree saplings. But the pesticides can drift onto private property and there's concern of potential impacts on drinking water supplies.

Communities that abut working timberland have been fighting for years to ban the practice.

Both bills are getting push-back from timber operators. Aerial herbicide spraying is cheaper than on-the-ground application – \$30 per acre versus \$100 per acre, according to the Oregon Department of Forestry. Helicopters can also spray in areas that would be difficult or dangerous for backpack applicators to access.

In written testimony, ODF said aerial spraying is used as part of an “integrated approach to managing forestland and rangeland.”

“Areas reforested without vegetation control can result in up to 60% planting failure, thus requiring a second reforestation effort the following year. This has significant financial implications,” the department said.

Tillamook County Commissioner Dave Yamamoto picked up that thread in his testimony. He said banning aerial spraying would increase the overall cost of logging, which means less state timber income earmarked for local causes.

“Declining timber harvest will cause long-term negative economic and social impacts to forest trust land counties, schools and special districts that depend on this revenue,” Yamamoto said.

State officials also raised concerns that a blanket ban on aerial spraying would also affect its ability to control invasive plants and insects.

But residents who live near these forests argue their health should not be put in jeopardy by the state.

“Spraying harmful chemicals from helicopter has no place on our publicly-owned state lands. Oregon must prioritize protecting natural water and drinking water,” Lisa Arkin told lawmakers.

Arkin is director of Beyond Toxics, a Eugene-based public health organization that has been advocating for change. The group presented an analysis of herbicide spraying on Tillamook State Forest (<https://olis.leg.state.or.us/liz/2019R1/Downloads/CommitteeMeetingDocument/184867>). It pointed to several instances when spraying was done in watersheds that provide drinking water for nearby communities.

Residents and forest owners also testified about the measure to improve notification of when aerial pesticide spraying will happen on non-federal land near their homes. Advocates say the one- to two-day advance notice for aerial spraying required in the legislation would allow neighbors to plan to safeguard their families, homes, pets and livestock.

“This does not impact actions that the industry is able to take to treat their own land. It only gives us the ability to protect ourselves,” said Jason Gonzales of Oregon Wild, who told lawmakers his source of drinking water is a stream that flows off of industrial timberland near the coast.

“(The bill) would simply allow me to turn off my drinking water intake for a day. I’ve got several hundred gallons in storage, like most of my neighbors do. All we want to do is protect ourselves and protect our families,” Gonzales said.

Similar legislation has been considered by Oregon lawmakers in previous years. Opponents say adding spray notification requirements is unnecessary.

“SB 931 turns what should be an opportunity to build relationships into an obligation, which won’t address or alleviate our neighbor’s concerns,” said Seth Carpenter, a forester with Weyerhaeuser. “If it was about making sure our neighbors are safe and informed about our operation, we already do it.”

Washington (<https://apps.leg.wa.gov/wac/default.aspx?cite=222-38-020>) requires spray applicators to give public notice of an aerial spray five days in advance. California (<https://www.cdpr.ca.gov/docs/legbills/calcode/o20403.htm>) requires applicators notify neighbors within five days of being issued a spray permit.

The Oregon Senate committee is scheduled to take the bills up Thursday for possible action.