



[News](#) > [News](#) > [Local News](#) > **Agency investigates herbicide complaints**

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Written by Jane Stebbins, Pilot staff writer

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Lisa Arkin of Beyond Toxics said she feels state officials are treating people as if they are the problem, and not the victims, of chemical spraying in the Gold Beach.

The director of the nonprofit organization said residents of Gold Beach and Cedar Valley have suffered health problems after a company sprayed pesticides over private forest lands near their neighborhoods. Mist from the spray then wafted onto them or their property, they allege.

State officials last summer removed foliage from the property adjacent to the lands that were sprayed, but have yet to receive the results to see if their land was misted by the sprayer.

“It gets frustrating,” admitted Mike Odenthal, the Oregon Department of Agriculture’s lead investigator on the case — the biggest case in the state at the moment. “The wheels of justice take a long time. I think we might be about halfway through, but I can’t say that for a fact.

“When we get a large case like this, because so many people are involved, it takes a long time to go through and do the job right. The last thing we want to do is point a finger at an applicator and say, ‘You sprayed these people,’ and go to court and lose. It doesn’t do anyone any good. We have to do our due diligence.”

Citizens complained last year after seeing helicopters flying and spraying private property owned by Crook Timberlands, and then coming down with severe headaches, blurry vision, loss of balance, nausea, rashes and constriction.

Tests run on a sick dog from the area showed it was exposed to glyphosate, imazapyr, metsulfuron methyl, triclopyr, 2,4-D and crop oil. The chemical 2,4-D is the active ingredient in Agent Orange, used liberally during the Vietnam War as an exfoliant.

Odenhal’s investigation is examining what was sprayed — the applicator said he might spray up to five different chemicals — what the labels of those products say are allowed to be sprayed on, and if the sprayer kept all the chemicals on the site they were to be spraying.

The latter is what has citizens in the area concerned, but County Commissioner Susan Brown, who has been working with them on the issue, says some of their anger is misdirected.

“For me, it’s an issue that’s not necessarily being handled in the best way by the citizens,” she said. “I understand their frustration by being sprayed; I don’t think anyone wants to be poisoned. But it’s not the landowners — Crook Timberlands or South Coast Lumber — they’re following all the rules and regulations of the state of Oregon.”

Petitioning the CDC

Arkin's agency is working with residents in Cedar Valley and others near Triangle Lake west of the Cascades to change federal law that does not require private spraying companies to disclose the chemicals they spray.

She also has petitioned federal agencies, including the Environmental Protection Agency and Centers for Disease Control, to investigate the effects of the sprays and requested those agencies put a moratorium on their use.

Brown isn't sure that's the right approach.

"I don't know that that's a solution," she said. "The cost of hand-clearing versus spraying needs to be looked at. It is in our best interest to work with the state toward the best way to have both a healthy community and healthy forests — some sort of happy medium."

Last year, one helicopter, possibly two, made at least eight trips and pesticides were sprayed over streams that are the drinking water source for nearby homes in central Curry County, the petition reads.

The DEQ is the agency in charge of monitoring long-term chemical accumulation on waterways, Odenthal said.

"Water moves," he said. "By the time I get there, the water that was flowing by is in the ocean. I'm investigating a particular incident."

While sprays are supposed to be kept on the property being sprayed, Arkin points out that, without adequate buffers, there is no way users can keep the toxic sprays from drifting onto the homes of their neighbors.

Beyond Toxics recently released a report that concludes the Oregon Forest Practices Act — the legislation under which the ODA abides regarding pesticide use — is "inadequate to protect human health, drinking water and all surface water."

According to that report, one company that was approved to use chemical mixes of three or more herbicides "increased the amount of herbicides they sprayed in the headwaters of salmon habitat by 99 percent in just three years."

The report also details how difficult it is for the public to get pesticide spray records or be notified of an impending spray. Timberland owners notify the Oregon Department of Forestry of impending sprays and what chemicals might be used; residents can pay the ODF to receive notification of spraying times.

"If it's the spraying regulations (that are the problems), then we need to work better with the state on those regulations," Brown said. "Maybe it'd be better with a bigger buffer zone, or better transparency about when they're spraying."

"But timber companies need to operate — I am fully on board with the timber companies," she added. "They need to be able to grow their lands and harvest. They're part of our economy and I respect what they do. If there's a problem with the process, we need to deal with the process."

Uprising

Gold Beach and Cedar Valley residents are increasingly angry because they haven't heard anything definitive from the investigating agencies. Some are still ill — and others, like Sweeney, who lives just west of Grizzly Mountain, believe they're "getting the runaround."

He was one of those who complained after helicopters flew and sprayed last October, allegedly dusting his property in winds higher-than-permitted for such activity.

Sweeney said Brown sent records from the monitoring station 100 feet from the edge of his property for the day in question, and a follow-up email last fall from the Department of Agriculture was “pretty sad” as it offered no specifics to their situation.

It provided a summary of actions the agencies have taken, the duties of those agencies, and a statement that laws regarding pesticide regulations are intended to protect human life and health.

“We hope this information will be useful in direction constituents to the appropriate agency,” wrote Katy Coba, director of the ODA. The ODA and Department of Forestry “remain committed to listening to citizen concern and investigating reports of pesticide-related problems.”

“The state’s not doing anything about it,” Sweeney said. “This system is designed for the chemical companies. They all have a vested interest in it.”

Odenthal disagrees.

“That is absolutely not right — we do care,” he said. “We are actively looking at this. It takes up part of my day every day, and my investigator stationed in Medford; it’s almost the only thing she’s focused on right now.”

They will meet with the EPA Region 10 investigator from Seattle in a couple weeks to brainstorm other ideas and ensure nothing was missed.

“This is a big deal for us,” Odenthal said. “It may seem like not much is going on, because not a lot is going on on the ground. But we’re working it, and we’re working it pretty hard.”

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