

Curry County herbicide spray helicopter pilot fined \$10,000, loses license for a year

Rob Davis | rdavis@oregonian.com By Rob Davis | rdavis@oregonian.com

Email the author | Follow on Twitter

on August 12, 2014 at 4:35 PM, updated August 12, 2014 at 4:58 PM

A helicopter pilot who flew over Curry County residents last October and sprayed them with herbicides meant for timberland will have his spraying license revoked for a year and be fined \$10,000, the maximum allowed by law, the Oregon Department of Agriculture announced Tuesday.

It's the longest license revocation in the department's history, agency officials said.

The pilot, Steven Owen, and the White City-based company he owns, Pacific Air Research, were each fined \$10,000 and had their spraying licenses revoked a year for providing false and misleading information to the state agency.

The penalties, which are being appealed, come after an investigation found Owen and his company violated state law through gross negligence and willful misconduct. Owen did not return a call for comment.

Owen's company first told the state agency that glyphosate, the active ingredient in Roundup, had been sprayed in Cedar Valley, north of Gold Beach. But testing around residents' homes found traces of other herbicides including 2,4-D and triclopyr. They're used by timber companies to treat clear-cuts, knocking down weeds and allowing Douglas fir to grow.

ODA did initially tell residents that glyphosate was used. But when ODA testing showed it wasn't glyphosate, the agency stopped communicating with residents who wanted to tell their doctors what they'd been exposed to. That information wasn't shared for six months, despite residents' pleas.

The incident became a prominent bellwether case for how ODA handles complaints from residents who allege being sprayed with herbicides. And by all accounts – including admissions from the agency's director, Katy Coba – it didn't go well.

"When we started realizing we were not dealing with accurate information, we quit sharing information with the local community," Coba said Tuesday. "In hindsight, that's the part where we clearly understand now that it caused a lot more consternation than if we'd continued sharing information.

"In the future, we would handle a similar situation much differently."

Lisa Arkin, director of Beyond Toxics, a Eugene pesticide watchdog, said she was pleased to see the penalty but said it happened only because of local residents' persistence. ODA "came out swinging because the great research by the community and the community pressure that was put on the agency," Arkin said.

In other states, the same information would be shared within hours, not months, Arkin said.

"There's no reason in the world why the Department of Agriculture withheld the information," Arkin said.

"They put their civil investigation before public health."

A federal investigation by the U.S. Environmental Protection Agency is ongoing.

-- Rob Davis

© 2014 OregonLive.com. All rights reserved.