

## Report: Forest spraying increases

An analysis of documents from the state shows that private timber companies in the years 2009-11 used an increasing amount of herbicides on private forests in rural Lane County — an area that is the focus of a state and federal investigation of residents' health complaints related to the toxins.

Beyond Toxics in Eugene, an environmental health group, released a report Saturday on its analysis of the records covering an area of 120 square miles around Triangle Lake, in the Coast Range west of Eugene.

The report marks the first detailed analysis of herbicides sprayed on a large area of private timberlands in Oregon, said Lisa Arkin, Beyond Toxics' executive director.

The records are not routinely available to the public on this scale. They were released only because they had been requested by the Oregon Health Authority as part of its investigation into health complaints by local residents.

The Triangle Lake investigation began in 2011 after residents presented authorities with test results showing the herbicides 2,4-D and atrazine were in the urine of all 43 people tested. The U.S. Environmental Protection Agency and a division of the U.S. Centers for Disease Control — the Agency for Toxic Substances and Disease Registry — joined the investigation.

Last spring, the Health Authority produced a draft public health assessment in partnership with the federal agencies. It said the amounts of herbicides detected in people were lower than levels expected to cause health problems, but higher than nationwide averages.

It added that there was not enough evidence to conclusively blame the herbicides spraying.

Just how much herbicide is sprayed in Oregon cannot be extrapolated from the Triangle Lake records, but it is not an isolated case.

The Oregon Department of Agriculture is investigating complaints from rural Curry County that people and animals fell ill last October after properties were hit with herbicides meant for neighboring timberlands. Beyond Toxics is petitioning the CDC and EPA to join the investigation, as they have at Triangle Lake.

Based on the 245 records, Beyond Toxics calculated that the area sprayed from the air increased by 56 percent over the three-year period, from 1,412 acres in 2009 to 2,199 acres in 2011. The study area covered 76,917 acres.

The group also calculated that the amount of 2,4-D sprayed aerially increased by 80 percent, and atrazine by 73 percent. The cumulative amount of pesticides sprayed aerially increased from 5.6 pounds per acre in 2009 to 7.2 pounds per acre in 2011.

"They are relying more and more on very toxic products," Arkin said.

Weyerhaeuser Co. is a major landowner around Triangle Lake. Spokesman Greg Miller said the amount of herbicide sprayed in a given area is a function of timber harvest.

Once a stand is cut, it is sprayed for several years to control brush that competes with tree seedlings. No more is sprayed for decades, until after the trees are harvested and replanting begins again.

“Our efforts follow all federal and state laws, including stringent chemical labeling laws under EPA” and under the Federal Insecticide, Fungicide and Rodenticide Act, he said. “We follow that religiously.”

Triangle Lake resident David Eisler feels he has been fighting a losing battle against herbicides drifting onto his property for 30 years. He is a plaintiff in a lawsuit against the state of Oregon challenging the constitutionality of the Oregon Right to Farm and Forest Act, which makes it difficult to sue for damages from herbicides.

The Oregon Court of Appeals recently denied the challenge based on a technicality.

“I frankly have no hopes they will ever change,” he said of herbicide regulators.

Spraying herbicides on private timberlands is regulated by a complex mix of state and federal laws and agencies. Beyond Toxics feels that Oregon lags far behind Washington, both in terms of buffer zones to protect water and residences and in giving the public access to records and a chance to question spraying plans.

The Oregon Department of Forestry counters that the public has access to records in which companies divulge their intentions to spray over the course of a year, and that records of specific spraying are shared with people complaining of problems and their doctors.

The agency added that monitoring of streams regularly shows herbicide amounts below levels considered harmful.

The state Department of Agriculture regularly investigates and fines violators, but the fines are small, generally less than \$1,000.

Companies must keep spray records for three years, said Dan Postrel, an Oregon Department of Forestry spokesman. Once the department has possession, the public can request them.

Before releasing them, the department decides whether the public’s right to know outweighs any trade secrets.

People also can sign up to be notified of spraying on private timberlands, but the information is broad, both in terms of time and the substances to be used.

The department provided copies of the Triangle Lake records to The Associated Press after a formal public records request.

Records include the name of the landowner, the person and company applying the herbicide, the location, weather conditions, whether it is ground or aerial spraying, the substances sprayed, and the concentration.