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Bill Takes Aim At Aerial Pesticide Spraying On Oregon Forests

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A helicopter sprays water over a recently logged slope owned by Starker Forests, near Philomath, Oregon, in a demonstration of how timber companies typically use herbicides on their tree farms.

Alan Sylvestre / OPB

An Oregon Senate bill introduced Tuesday would tighten rules for aerial pesticide spraying on forest land and overhaul how the state responds to complaints of drift and exposure.

The bill has been in the works since 2013, when 16 Curry County residents filed complaints with the state that they became ill after an herbicide application. Dubbed The Public Health and Water Resources Protection Act, the bill would:

- establish more timely notification about spraying and controlled burns for nearby residents and more robust and public record keeping;
- create protected areas where pesticide application is prohibited; and
- grant Oregon Health Authority the ability to investigate and issue penalties in cases of human exposure.

“We’ve heard widespread concern that Oregon isn’t doing enough to protect the health of rural citizens from aerial herbicide sprays,” Sen. Michael Dembrow, D-Portland, said in a statement. Dembrow is one of the bill’s chief sponsors along with Rep. Ann Lininger, D-Lake Oswego. “It’s time to change these outdated policies.”

The bill directs the Oregon Board of Forestry to set buffers around homes, schools and streams where pesticide spraying is prohibited. Oregon currently has had no buffers around homes or schools since the 1990s, and has smaller buffers around streams than other states.

In January, [two federal agencies rejected Oregon’s plan for managing runoff pollution into coastal waters](#), citing in part the state’s inability to prevent pesticides from reaching streams.

Timber operators and pesticide applicators would be required to keep

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more thorough records and provide more specific advanced notice for aerial spraying. The Department of Forestry would be required to inform citizens of nearby spraying within 48 hours of the planned event. Currently, notifications are done on paper and are not required to specify an exact date.

“The message from rural residents is that they do not get adequate notice of aerial sprays. They hear a helicopter, and that’s all the advance notice they get,” Lininger said in a statement. “They don’t have time to prepare and protect themselves or their animals.”

The department would also have to post to a public website, free of charge, those notices as well as records about what chemicals are being sprayed, including where and how much.

In past cases of alleged pesticide poisoning, responsibility for investigating fell to the Department of Agriculture, whose efforts focus not on exposure but on pesticide label requirements. The new bill would establish a system for the Oregon Health Authority to investigate the exposure side of pesticide cases, to provide timely information to healthcare providers and to handle such incidents as public health emergencies. The Health Authority would also be able to issue civil penalties of up to \$5,000.

The bill comes in response to complaints from residents bordering private timber land who claim drifting chemicals made them sick.

- [Read: Southern Oregon Pesticide Case Highlights Gaps In State Oversight](#)
- [Read: How One Complaint Reveals The Flaw In Oregon’s Pesticide Regulation](#)

The anti-pesticides organization Beyond Toxics has worked to rally community members by holding workshops in several counties. The organization reports community members in 11 different Oregon counties have been sickened.

Several within the timber industry have expressed skepticism about those numbers, citing the low acute toxicity of herbicides used, as well as the lack of exposure problems among the foresters and applicators handling pesticides.

Herbicide spraying reduces competition for the next crop of timber, allowing seedlings to grow faster, straighter and ultimately into more valuable logs. Spraying by helicopter is standard practice.

Timber industry leaders say federal and state laws already provide enough protection, and that the bill is the result of a perception problem.

“I think we’re doing a good job,” Mark Gourley of Starker Forests said in an interview last week. “We’re constantly improving on our own.”

Read the bill

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