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[Oregon Legislators Working to Introduce Herbicide Spray Policy](#)

(Beyond Pesticides, October 30, 2014) After concerns have been raised about the poor oversight of aerial herbicide spraying on Oregon forests, and the subsequent pesticide contamination of residents living nearby, policy makers are working to introduce legislation to better protect local residents from pesticide and environmental contamination.

An investigation, which began in 2013 into [allegations of improper pesticide spraying](#) on timberland near residential areas in Southern Oregon, has since confirmed that residents of the small towns were unwillingly sprayed with pesticides. The investigation was launched after residents filed complaints after they experienced rashes, headaches, asthma, and stomach cramps directly after pesticide applications. Earlier this year, the investigation led by the Oregon Department of Agriculture (ODA) indicated multiple violations by the pesticide operator and applicator responsible for the spraying, as well as evidence of the presence of pesticides on properties in Cedar Valley, near Gold Beach, Oregon. The aerial applicator, the investigation uncovered, allowed pesticide deposition on properties other than the intended application site, applied one product at a rate above the maximum allowed by the label instructions, and provided multiple false records that misled ODA about the actual products used.

Now, in light of several state regulatory lapses that include failures to provide communities with adequate notice about nearby spraying, investigations rife with miscommunication and missed opportunities, and a general lack of knowledge on human exposure

repaying, investigating the most common and most appropriate and a general lack of knowledge on human exposure risks, Rep. Ann Lininger, D-Lake Oswego and others are leading efforts to draft legislation on the issue. Rep. Lininger indicated that she has been working on legislation for the past six months along with Senate Environment and Natural Resources Committee Chairman Michael Dembrow, D-Portland, along with a team of legislators and community members. They plan to introduce a bill in the 2015 session.

Goals for the legislation include:

- Better notifications for community members who want to know when and where sprays are happening so they can protect themselves accordingly. Current notifications are costly, vague and sometimes inaccurate.
- Creating a publicly accessible database of pesticide application records, which show what was actually applied, how much, where and when. Currently, such records are maintained by applicators, filed with no one and are sometimes inconsistent or missing altogether.
- Wider buffers between aerial spraying and homes, schools, and drinking water streams. Oregon currently has no buffer for homes and schools and streamside buffers much smaller than neighboring states.

The state Senate committee has held a series of informational hearings since May in response to the case. Dozens of residents in the community of Cedar Valley claimed herbicides sprayed from a helicopter made them and their pets sick. Recently, the pilot responsible for the incident had his license suspended for a year and was fined \$10,000 by ODA. The Pacific Air Research Company, which employed the pilot, was also fined \$10,000 and had all its [licenses revoked for a year](#) for providing false information to the state.

After pressure from local residents, ODA was ordered to [publicly disclose](#) pesticide records. It was found that the pesticides being sprayed were 2,4-D and triclopyr. [2,4-D](#) is a highly toxic chemical which has been linked to cancer, reproductive effects, endocrine disruption, and kidney and liver damage. It is also neurotoxic and is toxic to beneficial insects (such as bees), earthworms, birds, and fish. Scientific studies have confirmed significantly elevated rates of non-Hodgkin's lymphoma for farmers who use 2,4-D. Triclopyr originally developed for woody plant and broadleaf weed control along rights-of-way and on industrial sites, triclopyr is also used in forest site preparation.

In a similar case, also in Oregon, the [community of Triangle Lake](#) experienced similar pesticide exposures from the aerial application of herbicides to timberland, and [atrazine](#) and 2,4-D were subsequently found in the [urine of residents](#) around Triangle Lake. After these incidents, state and federal agencies launched the Highway 36 Corridor Public Health Exposure Investigation. The investigation resulted in the Oregon State Forester requiring pesticide applicators to turn over three years of forestry pesticide spray records from private and state timber operations.

Should Rep. Lininger and her allies move forward with their legislation next session, it would not be the first attempt to revise *Oregon's Forest Practices Act*. According to Beyond Toxics, an environmental organization that works in Oregon, the State of Oregon has the weakest and most outdated forestry chemical laws in the western states of California, Washington, Alaska and Idaho, and significant changes are needed. Beyond Toxics filed a [lawsuit](#) this summer challenging portions of the [Oregon Right to Farm and Forest Law](#) (ORS30.936) on pesticide drift from forestry operations onto private property. Currently, there are no required buffer zones around residential land, similar to those along fish-bearing streams in Oregon, and the state does not require notification of residents near timberland. Timberland owners do have to notify the Oregon Department of Forestry, and people can pay a fee to receive those notifications, but they do not specifically disclose that chemicals that will be used, or the day and time of the spraying. Aerial herbicide application is also only used on private land as public forest land is managed without these practices.

Lawmakers are likely to face opposition from members and supporters of the forest products industry who claim cases like Cedar Valley are the rare exception and restrictions on herbicide could hurt timber production. Timber companies spray herbicides anywhere between one to three years after a clear cut to ensure young replanted trees, often Douglas firs, are free of competition and can grow faster.

A [study](#) by the Centers for Disease Control and Prevention's (CDC) National Institute for Occupational Safety and Health (NIOSH) and state agency partners finds that agricultural workers and residents in regions where pesticides are routinely sprayed have the highest rate of pesticide poisoning from drift exposure. [Pesticide spray drift](#) is typically the result of small spray droplets being carried off-site by air movement. The main weather factors that cause drift are wind, humidity and temperature changes. Aside from poisoning people and animals, drift can injure foliage, shoots, flowers and fruits resulting in reduced yields, economic loss and illegal residues on exposed crops.

For more information on the dangers of pesticide exposures, visit the [Pesticide Induced Disease Database \(PIDD\)](#). Beyond Pesticides [supports the efforts of residents everywhere](#) to stand up for public health and environmental rights and protect their communities and properties from chemical trespass. Visit [our website](#) to learn more about the negative impacts of pesticides on communities and what you can do to support those fighting for change!

Sources: [Earthfix](#), [Beyond Toxics](#)

All unattributed positions and opinions in this piece are those of Beyond Pesticides.

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