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GUEST VIEWPOINT

Legislation needed to curb herbicide spraying

BY TIM PALMER For The Register-Guard

On the morning of Oct. 16, 2013, the residents of Cedar Valley near Gold Beach at the mouth of the Rogue River were greeted by a rain of herbicides sprayed on them from a helicopter under contract by the timber industry. Forty people got sick.

For weeks, doctors at Curry General Hospital in Gold Beach were not even able to determine what the chemicals were. Neither the perpetrator nor the state agency responsible for regulating him came forth with a truthful answer.

Cedar Valley is not alone. Extensive pesticide spraying poisoned people in the Triangle Lake area west of Eugene. According to the nonprofit group Beyond Toxics, residents in 11 Oregon counties have been sickened from aerial spraying of industrial timberlands. Symptoms include nausea, rashes, diarrhea, headaches, asthma, blurred vision, bleeding noses and dead pets.

One might speculate that the helicopter pilot at Cedar Valley veered off course, or that he just didn't pay attention to when he released his toxic cargo, or that the wind blew.

But there is no speculation about the state laws governing pesticide spraying. They are woefully inadequate to protect the people and the grand landscape of Oregon.

Aerial spraying of weed killer on national forests stopped 20 years ago. But on the 5.8 million acres of industrial forest property — 20 percent of all woodlands statewide, including most of the lower-elevation terrain where rural neighborhoods and the best fisheries are found — the spraying continues under outdated state regulations.

We're talking here about the Oregon Forest Practices Act, administered by the state Department of Forestry, plus pesticide regulations administered by the state Department of Agriculture — two agencies obligated by law to protect public safety, and obligated by politics to promote the timber industry. Could there be something wrong with this picture?

The forestry act is a relic of industrial influence from when timber accounted for more than its current 3 percent of jobs (or less).

In January, two federal agencies ruled that Oregon fails to protect fish and water from pollution caused by clear-cutting next to streams, by runoff from logging roads, by logging-induced

landslides, and by aerial spraying of pesticides.

The state law allows hazardous chemicals to be sprayed within 60 feet of fish-bearing streams — as if an atmospheric mist jetted from a hovering helicopter didn't drift in the wind (consider, for a moment, nothing more than the wind that the helicopter makes). The state requires no setback at all from streams lacking fish — as if those waters don't flow directly into larger streams, rivers and estuaries, which all are critical to sport and commercial fisheries worth billions. And state law requires no buffer for small domestic water supplies, for schools or for homes — as if nobody drank water or lived there.

Oregon's standards for timber harvest rank rock-bottom when compared with every surrounding state. Even Idaho.

Now, a tedious 17 months after the Cedar Valley debacle, Oregonians have the opportunity for something better. A bill in the state Legislature would require industrial applicators to post the list of chemicals sprayed within 48 hours. Buffers would be required for drinking water sources, schools and homes. However, no specific buffer distances are named (a previous draft of the bill called for only 200 feet).

The bill is a step in the right direction. But that's not saying much.

If you were doused with weed killer and had to go to the emergency room, wouldn't you want your doctor to know how to treat your persistent nosebleed before the day after tomorrow? And if you imagine a helicopter disgorging atrazine and 2,4-D from 200 feet upwind, do you really think you'd be spared that acrid mist in your eyes and lungs?

Unless you want to trade places with the residents of Cedar Valley, this measure should be passed with bipartisan support. More important, it should be improved to bring forest management in Oregon up to standards of the 21st century.

Our fish, our rivers and our fellow citizens all deserve better than a bath in weed killer.

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