

Please provide these comments to the members of the Board of Forestry. The comments pertain to Agenda Item #9, adopting a State Forest Management Plan. Thank you very much.

Sincerely,

*Lisa Arkin, Executive Director*

Beyond Toxics

541-465-8860

1192 Lawrence Street, Eugene, OR 97401

[larkin@beyondtoxics.org](mailto:larkin@beyondtoxics.org)

Report Enclosure



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### Staff

**Lisa Arkin**  
Executive Director  
[larkin@BeyondToxics.org](mailto:larkin@BeyondToxics.org)

**Krystal Abrams**  
Save Oregon Bees and Media  
[kabrams@beyondtoxics.org](mailto:kabrams@beyondtoxics.org)

**John Jordan-Cascade**  
Communications Manager  
[jicascade@BeyondToxics.org](mailto:jicascade@BeyondToxics.org)

**Mysti Frost**  
Environmental Justice Lane County  
[mfrost@BeyondToxics.org](mailto:mfrost@BeyondToxics.org)

**Ana Molina**  
Environmental Justice Statewide  
[amolina@beyondtoxics.org](mailto:amolina@beyondtoxics.org)

**Ephraim Payne**  
Development and Events  
[epayne@beyondtoxics.org](mailto:epayne@beyondtoxics.org)

Oregon Board of Forestry  
Oregon Department of Forestry  
2600 State Street  
Salem, OR 97310

7/23/2018

Dear Chair Imeson and Members of the Board,

Beyond Toxics submits these comments to the Board of Forestry pertaining to Agenda Item #9, adopting principles to guide the State Forest Management Plan. Beyond Toxics is a statewide, grassroots environmental justice and environmental protection advocacy organization founded in 2000. We represent dozens of impacted communities and thousands of members who are concerned about the State's reliance on herbicide applications as a forest management tool in our public state forests. On their behalf we submit this testimony to support changes to Forest Management Plan (FMP) that will conserve and restore forest ecosystems and incorporate health-based standards to promote and enhance overall protection of human health, water and air.

While there are a number of laudable goals in the draft FMP, the issue of updating chemical practices has been largely ignored. We suggest a pathway to modernize and harmonize Oregon's state forest management practices with the successful models followed by the federal government and other states with similar forest soils, trees species and climate. Beyond Toxics submits these comments to advance the concepts and attributes in Principle 2 (*Providing and restoring properly functioning aquatic systems*) and Principle 5 (*Watershed Health*).

Oregon fails to meet commonsense and science-based regulations on chemical applications in forestry operations for its state forests. [See the attached EPA memo "*Comparative Characterization of Pacific Northwest Forestry Requirements for Aerial Application of Pesticides*," 8/30/2011]. Four examples serve to illustrate the ease with which the FMP could incorporate guidelines and rules to increase public transparency, public health precautions and drinking water protections in state forests.

### **1. Buffers for Water Resources**

In all cases, Oregon has the smallest forestry-specific water resource buffers for aerial application of pesticides, including no protections for small tributaries to fish streams and perennial streams with water. [See Table 1 Forest Chemical Buffer Comparison] Over thirty years ago, the US Forest Service adopted a policy to end the use of helicopters or airplanes to spray herbicides as a forest management tool in federal forests. Also, other Pacific Northwest states require larger spray buffers overall and mandated buffers for all streams with flowing water, not only fish and drinking water streams.

Recommendations:

- Phase out aerial herbicide sprays in state forests within the 5 years;
- Increase pesticide buffers on all streams, wetlands and lakes;
- Establish Oregon's first pesticide buffers on perennial streams which, at a minimum, adhere to the standards practices in neighboring states.

**2. Notification**

Washington, California and the BLM require public notification for aerial spraying as a necessary practice to protect public health from the known health risks of pesticide exposure. Oregon requires notification in only one instance, community water system managers. Other than that, Oregon state foresters fail to provide any timely notification to neighbors, schools, hospitals, recreation site managers and those with domestic water rights. Yet, we know that timely notification is possible and feasible. Protocols practiced by Oregon private timber companies, combined with modern weather technology and communication devices such as cell-phones and on-board electronic systems, have simplified timely notification. More private timber companies are willing to post updates on spray operations for adjacent city governments and rural neighbors (a "good neighbor policy"). State forest vegetation management practices must be transparent to the public. What is holding our state forest managers from instituting notification policies that are health-based and protective of vulnerable populations such as children, pregnancy or nursing women, people of reproductive age, the elderly and the infirmed? Pet and livestock owners also need timely information to protect animals. State agencies have a responsibility to provide public transparency, particularly as a means of furthering public health protections.

Recommendation:

- ODF can modify the FERNS database to enable state foresters and operators contracting with the State to upload updates on aerial and ground pesticide applications so that subscribers can receive notification within a 1-2 day window.

**3. Chemical Records**

Oregon requires pesticide applicators to keep a pesticide spray record for each forest application operation. However, the State does not require applicators to provide this documentation to ODF. We urge the BOF to direct state forest managers to disclose information on the types and amounts of chemicals being sprayed to the public because these activities are conducted on state properties supported by tax dollars. This should be public information. Spray records can be easily shared with the public by posting on an agency website.

Recommendation:

- ODF can create systems in its FERNS database to enable state foresters or pesticide applicators to upload pesticide spray records within 48 hours.

#### 4. Water Quality Protections

Other Pacific Northwest states such as Washington, Alaska and Idaho restrict the uses of certain pesticides known to bio-persist in aquatic environments. These are pesticides that have US EPA label language containing warnings about chemicals characteristics that are known to endanger water quality and fish habitat. Restricting pesticides labeled for water quality threats aligns with FMP Principles 2 & 5.

##### Recommendations:

- Prohibit the use of pesticides prone to drift or bio-persist in ground or surface waters: Atrazine, Indaziflam, Aminocyclopyachlor, Picloram, Neonicotinoid class of insecticides.
- Restrict within 500 ft. horizontal distance of drinking water sources and protected fish spawning areas and within 300 ft. horizontal distance of streams providing fish habitat: Bromacil, Dcpa, Disulfoton, Diuron, Hexazinone, Metolachlor, Metribuzin, , Prometon, Simazine, Tebuthiuron, Dicamba, Sulfometuron Methyl, 2,4-D Ester and 2,4-D Amine.

State forests management policies must benefit the public good by encouraging land managers to be more responsive to the public concerns and more sensitive to environmental health values. We hope the Board of Forestry and ODF will adopt a forest management plan ensuring Oregon's publicly-owned forests serve as exemplary models to protect public health, water and air. *At a minimum*, those with the responsibility and authority over Oregon's public state forests have a responsibility to meet the accepted standards of forestry chemical rules practices followed by the federal government and other Western states.

Sincerely,



Lisa Arkin, Executive Director



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

OFFICE OF  
ECOSYSTEMS, TRIBAL AND  
PUBLIC AFFAIRS

August 30, 2011

**MEMORANDUM**

**SUBJECT:** Comparative Characterization of Pacific Northwest Forestry Requirements for Aerial Application of Pesticides

**FROM:** Erik Peterson, Environmental Scientist  
Environmental Review and Sediment Management Unit  
Office of Ecosystems, Tribal and Public Affairs

**TO:** Scott Downey, Manager  
Pesticides and Toxics Unit  
Office of Compliance and Enforcement

David Powers, Regional Manager for Forests and Rangelands  
Office of Water and Watersheds Immediate Office  
Oregon Operations Office

**SUMMARY:**

**Buffers for Human Residences**

- In Oregon, applicators are responsible for, "...taking all precautions that are necessary...to avoid damaging drift onto forest resources or off-site sensitive areas such as residential areas or agricultural fields."<sup>1</sup>
- In Washington, there is a 200 foot buffer for human residences.
- On BLM lands in eastern Oregon, there is a ¼ mile buffer for human residences. No aerial application of pesticides is allowed on BLM lands west of the Cascades.

**Buffers for Water Resources**

Overall, Oregon has the smallest forestry specific water resource buffers for aerial application of pesticides.

**Drift Control**

Oregon - unlike Washington, Idaho, California, and, the BLM - does not have prescriptive technology or weather related best management practices.

**Notification**

Washington, California and the BLM require public notification for aerial spraying. Oregon requires notification of community water system managers.

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<sup>1</sup> <http://www.oregon.gov/ODF/privateforests/docs/guidance/OARDiv620.pdf?ga=t>

## Notes

- Neither the BLM nor the Forest Service uses pesticides for timber production.
- No atrazine and no 2,4-D on Forest Service lands, and, no atrazine on BLM lands.
- Aerial chemical application for timber production in California is thought to be very minimal.
- Although a detailed characterization of British Columbia's regulations was not conducted, they appear to be more similar to Oregon (plus public notification requirements) than they are to Washington.

## DETAILED INFORMATION:

### Buffers for Human Residences

#### *Oregon*

Neither Oregon's Forest Practices Rules<sup>2</sup> nor the Forest Practice Rule Guidance has specific buffers for human residences.

Oregon's Forest Practice Rule Guidance<sup>3</sup> does, however, mention impacts to residential areas

- "Applicators are responsible for taking all precautions that are necessary to comply with pesticide product labels and to avoid damaging drift onto forest resources or off-site sensitive areas such as residential areas or agricultural fields."
- "...some 2,4-D labels require specific no-application buffers for downwind residential areas. Many other forest pesticide labels suggest or require that precautions be taken to avoid drift onto sensitive sites such as residential areas or susceptible vegetation."

Oregon's guidance includes references to assist compliance with the aerial chemical application rule. The OSU reference, "Preventing Water Contamination and Pesticide Drift: A Checklist for Pesticide Applicators"<sup>4</sup>, for example, has a useful check – 'Checked if there are neighbors or any other people within ¼ mile?'

#### *Washington*

"(e) Operators applying aerial pesticides near residences or agricultural land must either:

- (i) Leave at least a 200 foot no application buffer strip around residences and 10 foot no application buffer strip adjacent to lands used for agriculture; or
- (ii) Apply the pesticides using the widest buffer for the applicable wind conditions as determined by the applicable tables in (a) of this subsection. These provisions do not apply where the residences or agricultural land that could be affected by drift from the aerial application of the pesticide is owned by the forest landowner or where the aerial application is acceptable to the resident or landowner."<sup>5</sup>

#### *Idaho*

Although Idaho has a buffer for human residences, it is unclear whether it would apply to single homes, or, clusters of several homes.

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<sup>2</sup> [http://arcweb.sos.state.or.us/pages/rules/oars\\_600/oar\\_629/629\\_620.html](http://arcweb.sos.state.or.us/pages/rules/oars_600/oar_629/629_620.html)

<sup>3</sup> <http://www.oregon.gov/ODF/privateforests/docs/guidance/OARDiv620.pdf?ga=t>

<sup>4</sup> <http://extension.oregonstate.edu/catalog/pdf/em/em8964-e.pdf>

<sup>5</sup> [http://www.dnr.wa.gov/Publications/fp\\_rules\\_ch222-38wac.pdf](http://www.dnr.wa.gov/Publications/fp_rules_ch222-38wac.pdf)

- “An aircraft pilot shall not apply any pesticide within one-half (1/2) mile of a hazard area unless there is air movement away from the hazard area.” Hazard Area - Cities, towns, subdivisions and densely populated areas.”<sup>6</sup>

### ***BLM***

BLM’s buffers are the largest, but, may be waived.

- “Establish a buffer between treatment areas and human residences based on guidance given in the HHRA, with a minimum buffer of ¼ mile for aerial applications and 100 feet for ground applications, unless a written waiver is granted.”<sup>7</sup>

### ***California***

Although I have not found forestry specific requirements, California’s human residences buffers are, as far as I can tell, similar to Oregon’s; more of a ‘responsibility of the operator to not cause harm’ than an explicit spatial requirement.

- “(b) Notwithstanding that substantial drift would be prevented, no pesticide application shall be made or continued when:
  - (1) There is a reasonable possibility of contamination of the bodies or clothing of persons not involved in the application process;
  - (2) There is a reasonable possibility of damage to nontarget crops, animals, or other public or private property; or
  - (3) There is a reasonable possibility of contamination of nontarget public or private property, including the creation of a health hazard, preventing normal use of such property. In determining a health hazard, the amount and toxicity of the pesticide, the type and uses of the property and related factors shall be considered.”<sup>8</sup>

### **Buffers for Water Resources**

*Oregon*<sup>9,10</sup>, *Washington*<sup>11</sup>, and *Idaho*<sup>12</sup> have different forestry specific aerial chemical application buffers for water resources.

- Washington’s forestry specific aerial chemical application buffers for water resources appear to be the most protective of the three PNW states. For example, the buffer for a high release height (51-65 feet) near a fish bearing stream with domestic water use under calm or unfavorable wind conditions in Oregon would be 60 feet, whereas a similar situation’s buffer in Washington would be between 125 and 325 feet. For smaller streams - such as a non-fish bearing seasonal stream - Oregon has no specified buffer while Washington maintains at least a 50 foot buffer.
- Idaho’s forestry specific aerial chemical application buffers - “...when applying pesticide leave at least one (1) swath width (minimum on hundred (100) feet) untreated on each side of all Class I streams, flowing Class II streams and other areas of open water.” - represent a middle ground between Washington and Oregon. On the one hand, Idaho’s

<sup>6</sup> <http://adm.idaho.gov/adminrules/rules/idapa02/0303.pdf>

<sup>7</sup> [http://www.blm.gov/or/plans/vegtreatmentseis/files/Veg\\_Treatments\\_ROD\\_Oct2010\\_AttachA.pdf](http://www.blm.gov/or/plans/vegtreatmentseis/files/Veg_Treatments_ROD_Oct2010_AttachA.pdf)

<sup>8</sup> <http://www.cdpr.ca.gov/docs/legbills/calcode/030201.htm>

<sup>9</sup> <http://www.oregon.gov/ODF/privateforests/docs/FPNote3Chemv5.pdf>

<sup>10</sup> <http://www.oregon.gov/ODF/privateforests/docs/guidance/OARDiv620.pdf?ga=t>

<sup>11</sup> [http://www.dnr.wa.gov/Publications/fp\\_rules\\_ch222-38wac.pdf](http://www.dnr.wa.gov/Publications/fp_rules_ch222-38wac.pdf)

<sup>12</sup> <http://adm.idaho.gov/adminrules/rules/idapa20/0201.pdf>

general 100 foot buffer is wider than Oregon's general 60 foot buffer. On the other hand, Oregon includes a buffer for wetlands, while it is unclear whether a buffer is required for wetlands in Idaho. Comparing Idaho to Washington is somewhat more difficult as Washington's general buffer would be 50 feet for small streams up to the "width of the inner zone" for medium and large streams. The width of the inner zone is determined by site class, bankfull width, and management option, but, can be understood as roughly 90-130 feet.<sup>13</sup>

### ***BLM, Oregon, East of the Cascades***

"To protect domestic water sources, no herbicide treatments should occur within 100 feet of a well or 200 feet of a spring or known diversion used as a domestic water source unless a written waiver is granted by the user or owner."<sup>14</sup>

"Proposals to boom or aeri ally spray herbicides within 200 feet of streams that are within 1,000 feet upstream from a public water supply intake, or spot apply herbicides within 100 feet of streams that are within 500 feet upstream from a public water supply intake, will include coordination with the Oregon Department of Environmental Quality and the municipality to whom the intake belongs."<sup>15</sup>

### **Drift Control**

#### ***Oregon***

The bottom line for drift control in Oregon is an assertion that there are too many variables to recommend specific allowable application equipment, application techniques, temperature, relative humidity, or wind velocity figures. Guidance is provided for temperature and relative humidity and wind speed and direction factors to consider. References are also provided.<sup>16</sup>

#### ***Washington***

Washington's Forest Practices Board Manual includes several required best management practices for nozzles, equipment, operations, and weather conditions. For example, "...do not apply when relative humidity is below 50% for ester formulations or below 40% for other pesticides."<sup>17</sup>

#### ***Idaho***

Basically one operational requirement, "Shut off chemical application during turns and over open water.", one equipment requirement, "Use a bucket or spray device capable of immediate shutoff."<sup>18</sup>, and, one weather requirement, "No person shall apply any pesticide in sustained wind conditions exceeding ten (10) miles per hour or in wind conditions exceeding product label directions..."<sup>19</sup>

#### ***California***

<sup>13</sup> <http://apps.leg.wa.gov/wac/default.aspx?cite=222-30-021>

<sup>14</sup> [http://www.blm.gov/or/plans/vegreatmentseis/files/Veg\\_Treatments\\_ROD\\_Oct2010.pdf](http://www.blm.gov/or/plans/vegreatmentseis/files/Veg_Treatments_ROD_Oct2010.pdf)

<sup>15</sup> [http://www.blm.gov/or/plans/vegreatmentseis/files/Veg\\_Treatments\\_ROD\\_Oct2010.pdf](http://www.blm.gov/or/plans/vegreatmentseis/files/Veg_Treatments_ROD_Oct2010.pdf)

<sup>16</sup> See page 22-24 at: <http://www.oregon.gov/ODF/privateforests/docs/guidance/OARDiv620.pdf?ga=t>

<sup>17</sup> [http://www.dnr.wa.gov/Publications/fp\\_board\\_manual\\_section12.pdf](http://www.dnr.wa.gov/Publications/fp_board_manual_section12.pdf)

<sup>18</sup> <http://adm.idaho.gov/adminrules/rules/idapa20/0201.pdf>

<sup>19</sup> <http://adm.idaho.gov/adminrules/rules/idapa02/0303.pdf>

Similar to Washington and BLM<sup>20</sup>

### ***BLM***<sup>21</sup>

Different format, but, similar to Washington and California; also includes potentially useful Forest Service drift table, “Table A2-2. Buffer Distances to Minimize Risk to Vegetation from Off-Site Drift of Forest Service- Evaluated Herbicides”

- “Make helicopter applications at a target airspeed of 40 to 50 miles per hour (mph), and at about 30 to 45 feet above ground.
- Take precautions to minimize drift by not applying herbicides when winds exceed >10 mph (>6 mph for aerial applications), or a serious rainfall event is imminent.
- Use drift control agents and low volatile formulations.
- Select proper application equipment (e.g., spray equipment that produces 200- to 800-micron diameter droplets [spray droplets of 100 microns and less are most prone to drift]).”

### **Pesticide Application Records**

The primary difference among jurisdictions is the time that records must be maintained by applicators - Oregon and Idaho, 3 years; Washington, 7 years; BLM, 10 years.

There does not appear to be major differences in the required content of application records. All jurisdictions require content such as the following from Oregon’s OAR 620-620-0600: legal descriptions of location actually treated with chemicals, acreage treated, brand name, EPA registration number, carrier used, application rate, date and time, air temperature, relative humidity, wind velocity, contractor and pilot’s names.

### **Notifications**

#### ***Oregon***

Operators are required to notify community water system managers at least 15 days prior to spraying.<sup>22</sup>

Oregon’s guidance includes references to assist compliance with the aerial chemical application rule. The OSU reference, “Preventing Water Contamination and Pesticide Drift: A Checklist for Pesticide Applicators”<sup>23</sup>, for example, has a useful check – ‘All workers and neighbors notified ORALLY?’

#### ***Washington***

Operators and/or landowners are not required to notify community water system managers. Public notification is, however, required.

- “Aerial chemical application areas shall be posted by the landowner by signing at significant points of regular access at least 5 days prior to treatment. Posting shall remain at least 15 days after the spraying is complete. The department may require an extended posting period in areas where human use or consumption of plant materials is probable.

<sup>20</sup> See 6460 Drift Control at: <http://www.cdpr.ca.gov/docs/legbills/calcode/020404.htm>

<sup>21</sup> [http://www.blm.gov/or/plans/vegreatmentseis/files/Veg\\_Treatments\\_ROD\\_Oct2010\\_AttachA.pdf](http://www.blm.gov/or/plans/vegreatmentseis/files/Veg_Treatments_ROD_Oct2010_AttachA.pdf)

<sup>22</sup> See OAR-629-620-0800 at: <http://www.oregon.gov/ODF/privateforests/docs/guidance/OARDiv620.pdf?ga=t>

<sup>23</sup> <http://extension.oregonstate.edu/catalog/pdf/em/em8964-e.pdf>

Posting at formal, signed trailheads that are adjacent to aerially treated units is required. The signs will contain the name of the product used, date of treatment, a contact telephone number, and any applicable restrictions.”<sup>24</sup>

### ***Idaho***

There does not appear to be any notification requirements.

### ***California***

Fairly explicit notification requirements; there is also a process to “request for review”, which is a process for the public to stop or slow permitted spraying of concern.

- “(b) Each permit issued for such use shall be posted immediately, or as soon as practicable, by the commissioner in all offices of the commissioner and by the permittee at a post office or similar public place reasonably located so as to be seen by persons living within one mile of the proposed spraying area and shall remain posted until the expiration of such permit.  
(c) Within five days after issuance of the permit, the permittee shall mail a copy of the permit to all owners of record of property within 300 feet of the area to be treated. The permittee shall also mail a copy to all persons residing within 300 feet of the spray site described in the permit area who have filed a request for written notification with the commissioner.”<sup>25</sup>

### ***BLM***

Similar to California, without a review/appeal process; the spirit of why to notify is also captured in BLM’s SOPs

- “Post treated areas with appropriate signs at common public access areas.
- Provide public notification in newspapers or other media where the potential exists for public exposure.
- To minimize fears based on lack of information, provide public educational information on the need for vegetation treatments and the use of herbicides in an integrated vegetation management program for projects proposing local use of herbicides.”<sup>26</sup>

### **Availability of Pesticide Application Records**

#### ***Oregon***

“The records required in sections (1), (2) and (3) of this rule shall be maintained by the operator for three years from the date of application and be made available at the request of the State Forester.”<sup>27</sup>

#### ***Washington***

“Application records shall be kept for a period of seven years from the date of the application of the pesticide to which such records refer. The director shall, upon request in writing, be furnished with a copy of such records immediately by the licensee.”<sup>28</sup>

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<sup>24</sup> [http://www.dnr.wa.gov/Publications/fp\\_rules\\_ch222-38wac.pdf](http://www.dnr.wa.gov/Publications/fp_rules_ch222-38wac.pdf)

<sup>25</sup> <http://www.cdpr.ca.gov/docs/legbills/calcode/020403.htm>

<sup>26</sup> [http://www.blm.gov/or/plans/vegreatmentseis/files/Veg\\_Treatments\\_ROD\\_Oct2010\\_AttachA.pdf](http://www.blm.gov/or/plans/vegreatmentseis/files/Veg_Treatments_ROD_Oct2010_AttachA.pdf)

<sup>27</sup> <http://www.oregon.gov/ODF/privateforests/docs/guidance/OARDiv620.pdf?ga=t>

<sup>28</sup> <http://apps.leg.wa.gov/wac/default.aspx?cite=16-228-1320>

**Idaho**

“Professional applicators shall maintain pesticide application records for three (3) years, ready to be inspected, duplicated, or submitted when requested by the Director.”<sup>29</sup>

**BLM**

Pesticide Use Records are public information. Generally, contacting the field office of interest should do the job. Dr. Richard Lee (303-236-1734) compiles an annual report of pesticide use on BLM lands, he would have comprehensive information.

**Federal Restrictions on Pesticides Used in Hwy 36 Area**

Pesticides Used in HWY 36 Area - from available forestry notifications since 2006	Permitted on BLM Lands in Oregon - west of cascades?	Permitted for aerial application on BLM lands east of the cascades? No aerial west of cascades.	Permitted on USFS lands in Oregon and Washington?
Atrazine	no (not allowed in 17 western states)	no	no
Hexazinone	yes	yes	no
Imazapyr	yes	yes	yes
Sulfometuron Methyl	yes	no	yes
Metsulfuron Methyl	yes	restricted.	yes
2,4-D	yes (2,4-DP not permitted)	yes	no
Clopyralid	yes	yes	yes
Glyphosate	yes	yes	yes
Triclopyr	yes	yes	yes
Aminopyralid	no	no	no
Picloram	yes	yes	yes
Chlorophacinone	no	no	no

<sup>29</sup> <http://adm.idaho.gov/adminrules/rules/idapa02/0303.pdf>

## **REFERENCES:**

### ***Oregon***

Oregon Administrative Rules - Department of Forestry “Chemical and Other Petroleum Product Rules” (OAR 629-620-0000 through 629-620-0800)

[http://arcweb.sos.state.or.us/pages/rules/oars\\_600/oar\\_629/629\\_620.html](http://arcweb.sos.state.or.us/pages/rules/oars_600/oar_629/629_620.html)

Oregon Department of Forestry “Forest Practice Rule Guidance - Chemical and Other Petroleum Products”

<http://www.oregon.gov/ODF/privateforests/docs/guidance/OARDiv620.pdf?ga=t>

Oregon Department of Forestry “Forest Practice Notes – Chemical and Other Petroleum Products” (1997)

<http://www.oregon.gov/ODF/privateforests/docs/FPNote3Chemv5.pdf>

### ***Washington***

Washington Administrative Code “Forest Chemicals” (Chapter 222-38 WAC)

[http://www.dnr.wa.gov/Publications/fp\\_rules\\_ch222-38wac.pdf](http://www.dnr.wa.gov/Publications/fp_rules_ch222-38wac.pdf)

Washington Forest Practices Board Manual “Guidance for Application of Forest Chemicals”

[http://www.dnr.wa.gov/Publications/fp\\_board\\_manual\\_section12.pdf](http://www.dnr.wa.gov/Publications/fp_board_manual_section12.pdf)

### ***Idaho***

Idaho “Rules Pertaining to the Idaho Forest Practices Act – Use of Chemicals and Other Petroleum Products”

<http://adm.idaho.gov/adminrules/rules/idapa20/0201.pdf>

Idaho Department of Agriculture “Rules Governing Pesticide and Chemigation Use and Application”

<http://adm.idaho.gov/adminrules/rules/idapa02/0303.pdf>

### ***California***

California Code of Regulations (Title 3 Food and Agriculture); Division 6 Pesticides and Pest Control Operations

6443. Permits for Use of Phenoxy Herbicides on Timberland.

<http://www.cdpr.ca.gov/docs/legbills/calcode/020403.htm>

6460. Drift Control.

<http://www.cdpr.ca.gov/docs/legbills/calcode/020404.htm>

6614. Protection of Persons, Animals, and Property.

<http://www.cdpr.ca.gov/docs/legbills/calcode/030201.htm>

### ***U.S. Bureau of Land Management***

Oregon Vegetation Treatments EIS Documents

<http://www.blm.gov/or/plans/vegtreatmentseis/documents.php>

BLM EIS Lead – Todd Thomson

Eugene District Office Vegetation Management EA Scoping Letter

[http://www.blm.gov/or/districts/eugene/plans/files/9015B\\_Scoping.pdf](http://www.blm.gov/or/districts/eugene/plans/files/9015B_Scoping.pdf)

***U.S. Forest Service***

Pacific Northwest Region Invasive Plant Program Preventing and Managing Invasive Plants  
Record of Decision

<http://www.fs.fed.us/r6/invasiveplant-eis/FEIS/ROD/ROD-R6-NR-FHP-PR-02-05.pdf>

***British Columbia***

Integrated Pest Management Regulation

[http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/10\\_604\\_2004](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/10_604_2004)

A Citizen's Guide to Pesticide Use and the Law in BC

<http://wcel.org/sites/default/files/publications/Citizen's%20Guide%20to%20Pesticide%20Use%20and%20the%20Law%20in%20BC.pdf>

Table 1 Comparison of Oregon, Washington and Idaho State Forest Practices Acts

Protection Area	Oregon State Forest Practices Act	Washington State Forest Practices Act	Idaho Forest Practices Act
<b>Fish-Bearing Stream Buffer</b>	60' Aerial Spray	93-325' Aerial Spray for Forests similar to the Coast Range of Oregon	100' Aerial Spray
	10' Ground Spray	93-150' Ground Spray for Forests similar to the Coast Range of Oregon	25' Ground Spray
<b>Perennial Non-Fish Stream Buffer</b>	0' Aerial Spray	50-100' Aerial Spray	100' Aerial Spray
	0' Ground Spray	25-50' Ground Spray	25' Ground Spray
<b>Intermittent Non-Fish Stream Buffer</b>	0' Aerial Spray	50-100' Aerial Spray with surface water 0' Aerial Spray with no surface water	100' Aerial Spray with surface water 0' Aerial Spray with no surface water
	0' Ground Spray	25' Ground Spray with surface water 0' Ground Spray with no surface water	25' Ground Spray with surface water 0' Ground Spray with no surface water
<b>Wetland Buffer</b>	60' Aerial Spray (when standing water is larger than ¼ acre at time of application)	25 – 325' Aerial Spray (depending on size of wetlands)	100' Aerial Spray (for areas of open water)
	10' Ground Spray	25' Ground Spray	25' Ground Spray (for areas of open water)

Protection Area	Oregon State Forest Practices Act	Washington State Forest Practices Act	Idaho Forest Practices Act
<b>Domestic Water Supply</b>	60' Aerial Spray	-Domestic water supply streams are protected with the same no-spray buffers as fish streams (93-325' for Forests similar to the Coast Range of Oregon). -200' buffer on springs used for drinking water. -Aerial spray (using herbicides typical to forestry operations) occurring within ½ mile surface drinking water system intake triggers a Class 4 SEPA <sup>i</sup> Review.	100' Aerial Spray
	10' Ground Spray	Domestic Water Supply Streams are protected with the same no-spray buffers as Fish Streams (93-325' for Forests similar to the Coast Range of Oregon)	25' Ground Spray
<b>Ground Water Protection Areas</b>	None	Vulnerable ground water areas trigger a Class 4 SEPA Review; <b>Chemicals Banned:</b> Atrazine, Bromacil, Dcpa, Disulfoton, Diuron, Hexazinone, Metolachlor, Metribuzin, Picloram, Prometon, Simazine, Tebuthiuron	None

<sup>1</sup>The State Environmental Policy Act (SEPA) is the process for public review of your proposed operation. It requires that projects be evaluated for their impacts to the environment. An environmental checklist is required for property that was platted, for conversions, and for operations that may have potentially significant impacts on the environment.