

Summary | Senate Bill 1602

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Background

- In June 2020, the Oregon Legislature held a special session. During that session, Senate Bill 1602 passed both chambers with broad support. The governor signed the bill into law on July 7, 2020.
- Both conservation and timber industry groups supported the bill. They want to jointly develop and recommend changes to Oregon's Forest Practices Act (FPA).
- The department supports this approach. It looks forward to receiving the recommendations.
- Parts of the law go into effect at different times.
- The law changes some of Oregon's non-federal forestland protections.

Helicopter Pesticide Spray Buffers. The law increases buffers around homes, schools, water intakes, and some streams for helicopters spraying pesticides. This part of the law starts on January 1, 2021. The buffers are:

- At least 75 feet from streams with fish or domestic use;
- 50 feet from other streams with surface water present;
- 300 feet from a school or inhabited dwelling; and
- 300 feet from a qualifying water intake.

Stream buffer rules expanded. The law includes the Siskiyou region in the rules for protecting salmon, steelhead, and bull trout streams. This part of the law starts on January 1, 2021.

Helicopter Pesticide Spray Communications

- The agency must develop its E-Notification system to improve communication among helicopter pesticide sprayers, neighbors, and water users.
- The law provides funds for developing the system. It will likely take about a year to complete.
- The law requires the operator, timber owner, or landowner to send helicopter pesticide spray plans to the agency. The plans must include:
 - Pesticides likely to be used;
 - Areas to be sprayed;
 - A 90-day window for applying the pesticides; and
 - Operator, timber owner, or landowner's mailing address, email, and phone number.
- Using E-notification, applicators must notify registered water users and neighbors that are within one mile of the area(s) to be sprayed by 7 p.m. the night before the planned spray.
- Neighbors and water users must sign up to receive notices. The neighbors and water users who can sign up are those within one mile of the proposed work. They will receive notices by email or text message about the proposed 90-day window, and the night before the flights.
- Operators must wait 30 days before spraying areas within one mile of registered water users and neighbors to allow for neighborly communications.
- This part of the law will start between July 2021 and June 2022.
- There are fines for:
 - Failing to submit spray plans and notifying the department and their neighbors.
 - People who interfere with the spray work.
- The law did not change regulations for pesticides sprayed by ground, fixed-wing, and drone methods.

Mediated discussions for improving the FPA. The governor's office must mediate talks among the conservation and timber industry groups. They will develop and recommend changes to the FPA. They have 18 months to do this work.