

It's Time to Tell Oregon DEQ to Restrict Pesticides to Save Salmon!

When and How?

Public Hearing in Portland, Wednesday, September 12th from 4:30-6:30 at DEQ headquarters, 811 S.W. 6th Ave., 10th Floor.

Public Comments due Tuesday, September 18th (6 PM) to waterqualitystandards@deq.state.or.us or Attn: Debra Sturdevant, DEQ, 811 S.W. 6th Ave., Portland, OR 97204.

Why Now?

In August, Northwest Environmental Advocates filed a petition with the Oregon Environmental Quality Commission (a board that makes rules for the Department of Environmental Quality (DEQ)). DEQ is taking public comment on whether to grant the petition – until September 18th.

If you're concerned about pesticides, write the DEQ and urge them to grant NWEA's petition.

Why Should Oregon Restrict Pesticides?

For many years, environmental organizations in Oregon and Washington have sued federal agencies under the Endangered Species Act (ESA) to make sure that the use of the most dangerous pesticides would not jeopardize the existence of threatened and endangered salmon and steelhead. The **National Marine Fisheries Service** (NMFS) is responsible for protecting these fish. NMFS has found that *certain pesticides will jeopardize these species* and has issued a list of restrictions that are necessary to protect them. But NMFS is not a regulatory agency and it cannot actually restrict pesticide use.

The **Environmental Protection Agency** (EPA) is the regulatory agency in charge of actually restricting pesticides. But EPA *refuses to implement the restrictions* that are necessary to protect salmon and steelhead.

That leaves the **State of Oregon**. Oregon is not legally bound by the Endangered Species Act so it has chosen to *completely ignore* the restrictions to protect salmon and steelhead.

This petition asks the State of Oregon to incorporate the restrictions because it's the right thing to do! And because the Clean Water Act requires the protection of fish and wildlife.

Why is This Just About Salmon?

It's not just about salmon! Pesticides are poisons that affect people, fish, and wildlife. Many pesticides are endocrine disruptors which have effects on people and wildlife such as: birth defects, cancer, learning disabilities, masculinization of females, feminization of males, deformation of reproductive organs, reduced fertility, and altered thyroid functions. For

example, the Atrazine sprayed on Oregon forests is known to chemically castrate male frogs and turn 10 percent of them into females. NWEA's petition specifically addresses rapidly declining populations of frogs, salamanders, and turtles in Oregon.

The petition is also about the health and safety of people. Pesticides, such as 2,4-D and Atrazine, are widely sprayed by timber companies and are showing up in the urine of Oregonians in the Triangle Lake area near Eugene. Atrazine is banned in the European Union because it causes breast and prostate cancer. **Protecting salmon and frogs will help protect people.**

What Does the Petition Request?

The petition asks the Commission to:

- to incorporate into Oregon's water quality rules the restrictions established by the National Marine Fisheries Service (NMFS) to protect threatened and endangered salmon and steelhead;
- to amend its Clean Water Act permit that allows companies to discharge pesticides to incorporate restrictions established by NMFS needed to protect salmon and steelhead;
- to petition the Oregon Department of Agriculture to:
 - adopt rules that incorporate the restrictions established by NMFS to protect salmon and steelhead
 - to restrict sales of pesticides, change pesticide labels, and provide warning information to pesticide users;
- to petition the Oregon Department of Forestry to amend its rules to incorporate restrictions established by NMFS to protect salmon and steelhead.

How Can Oregon Avoid the Endangered Species Act?

Here's an example of how Oregon has avoided the restrictions needed to protect salmon and steelhead. Last year the U.S. EPA issued a Clean Water Act permit called the Pesticide General Permit that allows companies to spray pesticides into lakes and over trees and clear-cuts. Because EPA is a federal agency it had to obtain the advice of the National Marine Fisheries Service (NMFS). NMFS said that spraying pesticides in waters used by salmon and steelhead would jeopardize those species. So EPA restricted how companies could spray under its permit.

But here's the glitch. EPA's permit only applies to waters on tribal lands in Oregon! Companies that want to spray pesticides in other Oregon waters are covered by a separate Clean Water Act permit issued by Oregon DEQ. As a state agency, Oregon DEQ is not required by law to obtain or follow the advice of NMFS. So Oregon DEQ **completely ignored the requirements** that are needed to protect salmon and steelhead from pesticide spraying. And EPA allowed it.

For More Information: The petition and public notice are on DEQ's website:
<http://www.deq.state.or.us/wq/standards/pesticides.htm>

Email: Nina Bell, NWEA Executive Director at nbell@advocates-nwea.org