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Judge allows Siuslaw spraying

By Aleta Zak
Of the Emerald

U.S. land management officials were granted permission Thursday to continue spraying herbicides in the Siuslaw National Forest while the government appeals a recent federal injunction banning the spraying.

Robert Belloni, a U.S. district court judge, issued the stay at a Eugene hearing Thursday. In an April 20 ruling, Belloni ordered the U.S. Forest Service and the Bureau of Land Management to stop spraying in the Siuslaw Forest until they conduct more research on possible health hazards.

The stay takes effect next Thursday, allowing the forest service to keep spraying herbicides in the Siuslaw Forest and surrounding area. The government can continue spraying until a ruling is made on the appeal.

But Paul Merrell, a Tidewater resident who filed the original suit against the government in 1981, said he plans to file an emergency appeal today in an attempt to get the stay overturned.

"We wouldn't be doing it if we didn't think the appeal had a chance," said Merrell. The appeal documents will be filed in San Francisco headquarters for the U.S. 9th Circuit Court of Appeals.

Merrell, who is acting as his own attorney in the suit, said he is uncertain when the ruling would come in the emergency appeal.

"It's still a victory for us," said Merrell. "The judge is not backing down on his original ruling to require the health studies."

The case has pitted Merrell against BLM and Department of Agriculture officials.

Merrell is a disabled Vietnam veteran whose wife, Carol Van Strum, believes herbicide spraying may have caused the two abortions she had while living in the controversial Five Rivers drainage area.

Merrell attempted to show that the government had not conducted proper studies on the impact spraying herbicides had on human health.

During the trial, he contended that the spraying was responsible for several miscarriages and birth defects suffered by residents of the Five Rivers area.

Belloni also decided Thursday to allow a group of coastal area residents to intervene in Merrell's case, making it a class-action suit. The 15 residents filed a motion Monday attempting to apply the case to the entire Coast Range portion of the Siuslaw.

However, the judge did not rule on what specific areas the spraying ban would cover. He said he would decide what areas to include after studying some maps of the area.

During Thursday's hearing, an attorney representing the BLM and forest service tried to show trees would be badly damaged if spraying is halted while studies are made.

But Fred Miller, coordinator for the Eugene-based Northwest Coalition for Alternatives to Pesticides, testified that cutting brush by hand or by individual cans of weed-killer are alternative methods to aerial herbicide spraying while the studies are conducted.

Learn to speak out on nuclear war

The Eugene chapter of Physicians for Social Responsibility is sponsoring an all-day training session Saturday for speakers dealing with the nuclear war issue.

The workshop, "Speaking out on the Threat of Nuclear War," will be held at the Central Presbyterian Church, 1475 Ferry St., from 9 a.m. to 4 p.m.

A \$10 fee will be charged to

cover materials.

Stanley Nudelman, associate clinical professor of medicine at the University of California in San Francisco, will lead the workshop.

Nudelman will travel to Holland in June as a U.S. delegate to the third annual meeting of the International Physicians for Prevention of

Nuclear War. He has held eight speakers' training sessions throughout California.

This session is designed to give speakers increased information and the ability to present that information, respond to various questions and deal with opposing viewpoints.

For more information, call 686-2222.

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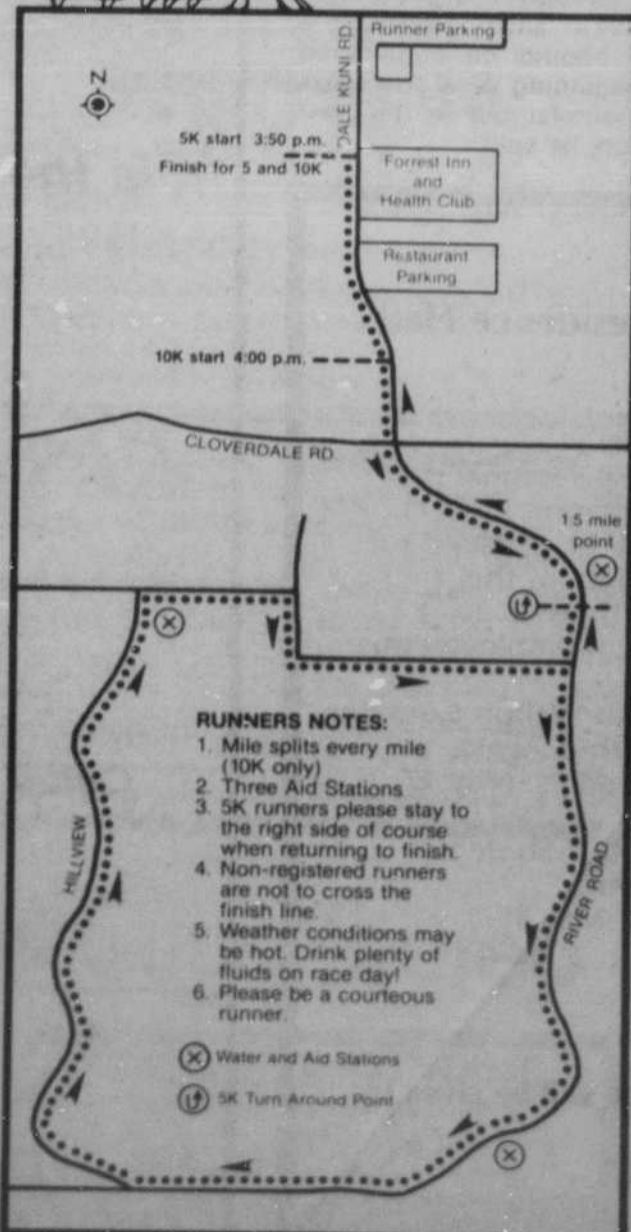
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