

news Briefs

RESIDENTS OBJECT TO AERIAL SPRAY

A recent helicopter spraying of toxic herbicides by Giustina Land and Timber has upset nearby residents who say the company ignored a request to notify them 12 hours in advance in order to allow families with children, the elderly and the infirm to leave before the spray. Neal Miller, who lives on Fox Hollow Road, near where the spray was conducted, says Giustina “wouldn’t even discuss” the issue with the concerned neighbors.

The neighbors are worried about not only about the health affects of the chemicals that could drift from the Giustina’s privately owned forestland onto their properties, but the effects of the chemicals on their organic farms.

“Chemical invasions of people’s bodies and homes should not be allowed in Oregon,” says Eugene attorney Charlie Tebbutt who delivered a letter to the company asking Giustina to refrain from aerial spraying and asking for a dialogue about the spray with the community.

Tebbutt says, “Our letter basically said if anyone gets harmed by this, you are now on notice.” He adds, “They can’t deny that they knew people and businesses were put in harm’s way by their activities.”

The company’s response to the letter was to tell them “nobody’s allowed on Giustina’s land,” Miller says.

“We’re not interested in going on their land,” he says, and Giustina won’t return phone calls and “they’ve been stonewalling us and everybody else.”

Giustina Land and Timber did not respond to *EW*’s request for comment by press time.

According to the permit, the spraying could take place any time between Aug. 31 and Dec. 31.

The spray was conducted on the morning of Sept. 9, according to Miller. He says that he and other families within a two-mile

range of the clear cut and sprayed land are looking for a lab to test their urine.

Twenty-one Triangle Lake residents, who have also fought the use of pesticides near their homes and farms, had tests conducted on their urine and discovered increased levels of pesticides within 24 hours of a nearby spray.

The spray notice said among the pesticides that would be used were Oust, Escort, Polaris, Garlon 3a and 4, Milestone VM and Accord. Agronomist Stuart Turner called the pesticides that were sprayed on Fox Hollow and Hamm roads, “largely the worst of the worst from several perspectives” in an analysis he did of the chemicals.

Miller and other neighbors worry more sprays will take place as Giustina continues to log the area and as trees for future harvest are planted.

“The hope is that at the very least Giustina is done spraying, and if they are not, we hope they will let the neighbors know if they do plan to spray further,” Tebbutt says.

Miller says, “We are evaluating our legal options at this point with attorneys.”

— Camilla Mortensen

ELLIOTT FOREST CLOSES ROADS

The Oregon Department of Forestry has mandated road closures in the Elliott State Forest for “safety reasons,” according to a press advisory, as well as to “ensure the state’s ability to meet contractual obligations for timber sale harvests.”

The road closures began Sept. 2, apparently in response to recent protests by Cascadia Forest Defenders. According to ODF, the roads that were closed are near active timber sales, but Jason Gonzales of CFD alleges that some of the roads listed are not active logging roads.

CFD has made the Elliott the focus of a campaign to stop logging in the native coastal forests and has staged treesits and other protests to call attention not only to the effects of logging on animals such as endangered species-listed marbled murrelets and the more common mountain beaver, but also to the effects of logging on people.

Barb Shamet, whose property borders



the Elliott, sued to stop clearcut logging above her farm alleging the logging and the landslides that could happen as a result — an ODF report classified the timber sale as being in a high landslide hazard area — will reduce the value of her property. According to the ODF report, debris from a landslide could enter Shamet’s property.

When Shamet and CFD protested the logging near her farm on Aug. 8, ODF read and handed out a letter that told the protesters that their actions in the forest were illegal.

According to attorney Lauren Regan of the Eugene-based Civil Liberties Defense Center that was unconstitutional. She says the letter, which notified the recipients that their actions were illegal and subject to arrest, was handed out not only by ODF but by contractors and “was given to people who were lawfully standing in the roadway, not committing any crimes.” The letter was signed by Louise Solliday, director of the Department of State Lands.

Regan says after ODF’s lawyers at the Department of Justice were notified of the problematic letter, they admitted it had been handed out without DOJ input.

She says closure orders must be narrowly tailored on public lands. “People are allowed to assemble as long as they do so lawfully,” she says.

Gonzales says that he thinks the road closures were in “direct response to losing the battle over the letters, from their own wording and from their own timeline.” The road closure order was issued only days after the Department of Justice confirmed

ODF would no longer hand out the cease-and-desist letters, he says. ODF Public Affairs Director Dan Postrel says such letters may be used in the future in consultation with ODF’s legal counsel.

ODF cites activities “including constructing road barriers, trenching road surfaces and hanging ropes across roads” as reasons for the closure. ODF says that “timber sale contracts include an end date for completion of harvest activities, and the state is obligated to ensure that the purchasers are able to access the sale units and conduct timber harvests in a safe, timely way.”

Gonzales says, “We think it is outrageous that ODF would cut off public access to public lands.” He also points out that the closure could make it difficult for groups such as the Northwest Ecosystem Survey Team that conduct surveys of species such as marbled murrelets to look for those animals, as well as affect hunters and recreational users.

The ODF-managed Elliott State forest is primarily Common School Fund land that is overseen by the State Land Board, made up of the governor, secretary of state and the state treasurer. The SLB will be voting how the Elliott will be managed for the next 10 years in early October.

Gonzales says CFD is currently concentrating its efforts on Gov. Kitzhaber and the upcoming SLB decision.

For more information on the proposed Elliott management plan, go to <http://wkly.ws/13y> — Camilla Mortensen

sports



Loss in Rugby Opener

Eugene Reign recorded their first loss (17-34) in the season opener in Portland against the Pigs on Sept. 3. The day was hot, the drive was long and the spread on the score was too much to overcome.

In the first half, Portland scored a few tries and converted one of them. Eugene got their wind in the second half and began putting points on the board with a hard fought try from rookie Lindsey Wegner playing at eight-man, not converted. The next try was out wide with outside center Carly Schmit, also not converted. Another hard fought try came from flanker Karrie Shaffer, which was converted.

The Eugene Reign look for a win in the first home game of the season this Saturday versus the Tacoma Sirens. Attendance is free and open to all. Come support the team and find out what rugby is about. Kick off at noon Saturday, Sept. 17, at Agnes Stewart Middle School, 900 S. 32nd St, Springfield. Full schedule, updates and merchandise at www.eugeneewomensrugby.com