



**For Immediate Release:
January 26, 2004**

For more information, contact:
Michelle Wilson (907) 222-7714
764-6105 cell
michelle@akaction.net

Pesticides Harmful to Salmon : Federal Court Orders Restrictions Alaska's Rivers, Streams and Fish Deserve Equal Protection

Anchorage: A federal court judge in Seattle ruled last week to ban 38 pesticides near salmon-bearing streams in Washington, Oregon and California. Expanding on two previous rulings, U.S. District Judge John Coughenour in Seattle ordered the U.S. Environmental Protection Agency (EPA) to establish temporary buffer zones for more than 50 common pesticides along salmon-bearing streams while it creates permanent environmental regulations. The ruling came in a case brought by fishing and conservation groups.

"This is a landmark decision that finally gives salmon relief from pesticides after a decade of agency inaction," said Patti Goldman, the Earthjustice attorney who represented the groups. "The court has blocked the use of the most harmful pesticides along salmon streams until the government has ensured that salmon will be protected."

The interim measures imposed in the court's ruling will protect salmon from these pesticides during the time it will take EPA to comply with the law. The judge found "with reasonable scientific certainty, that the requested buffer zones - 20 yards for ground applications, 100 yards for aerial applications - will, unlike the status quo, substantially contribute to the prevention of jeopardy" to salmon. He further found that the evidence "demonstrate[s] that pesticide-application buffer zones are a common, simple, and effective strategy to avoid jeopardy to threatened and endangered salmonids."

"Alaska's Department of Environmental Conservation (DEC) should act responsibly and follow the landmark Pacific Northwest ruling," said Michelle Wilson, program coordinator with Alaska Community Action on Toxics. "Alaska has a reputation for pristine wilderness, along with fish and wildlife that are free from chemicals."

The Washington ruling requires buffers for aerial spraying be expanded to 100 yards. The DEC just approved new controversial regulations in November that would require only a 35-foot buffer near streams for aerial spraying for forestry practices, with no consideration of dangers to salmon.

"The Washington court order puts salmon health and clean water first," said Clay Frick, a commercial fisherman from Port Alexander. "We are spending millions of dollars to promote our ailing salmon industry. Selling our fish as coming from a clean environment is key to our promotion. Allowing thousands of acres to be sprayed with pesticides is counterproductive to the marketing of our fish. It is the duty and responsibility of the Legislature and municipalities to take action to keep our streams healthy and protect our wild Alaska salmon industry from these short-sighted administrative decisions."

Legislation was introduced last session to ban the aerial spraying of pesticides after the DEC refused to hold public hearings on those controversial regulations. Senate Bill 233, introduced by Senator Johnny Ellis, would ban aerial spraying of pesticides except for public health emergencies but has not received a hearing in the Senate Health, Education and Social Services Committee. Senate Bill 27 by Senator Ellis and House Bill 314 by Representative Sharon Cissna were also introduced last session and would require improved notification of commercial pesticide use, and a statewide tracking system and registration and licensing fees.

The Alaska Community Action on Toxics is a statewide nonprofit organization serving Alaska's communities by promoting environmental justice and health.

XXXX