



PROTECTING ENDANGERED SALMON FROM PESTICIDES

Risks and Remedies

FISHING AND ENVIRONMENTAL GROUPS HAVE OBTAINED A COURT ORDER PREVENTING THE USE OF 38 HARMFUL PESTICIDES NEAR SALMON STREAMS IN CALIFORNIA, OREGON, AND WASHINGTON. THE NO-SPRAY BUFFERS ARE NECESSARY TO PROTECT SALMON, ARE A PROVEN REMEDY, AND WILL HAVE MINIMAL NEGATIVE ECONOMIC IMPACT.

EPA HAS FLAGRANTLY VIOLATED THE ENDANGERED SPECIES ACT

The EPA has—for years—failed to protect Pacific salmon listed under the Endangered Species Act (ESA).

- **Pesticides Harm Endangered Salmon:** The EPA has found that many pesticides pose a serious threat to fish and their habitat. However, EPA has failed to restrict pesticide use when registering pesticides for use in the U.S. EPA's failure to protect salmon violates the Endangered Species Act.
- **Citizens Sue to Protect Salmon:** The Washington Toxics Coalition, Northwest Coalition for Alternatives to Pesticides, Pacific Coast Federation of Fishermen's Associations, and Institute for Fisheries Resources, represented by Earthjustice, sued EPA in January 2001.
- **Federal Judge Rules for Salmon:** In July 2002, Judge Coughenour, U.S. District Court in Seattle, ruled that EPA was in violation of the ESA by not addressing the effects of pesticides on threatened and endangered salmon. Judge Coughenour stated that "EPA's own reports document the potentially-significant risks posed by registered pesticides to threatened and endangered salmonids or their habitat."
- **Court Orders Permanent Protections:** Prompted by the court, EPA is consulting with the National Marine Fisheries Service to determine what restrictions must be imposed to protect salmon from the adverse effects of the pesticides.

PESTICIDES HARM SALMON

Pesticides are poisons designed to kill or harm living organisms. Pesticides used by homeowners, farmers, or in urban areas can pollute salmon streams and harm wildlife, including salmon.

- **Pesticides are Toxic by Design:** The pesticides at issue can kill salmon and reduce their chances of survival by impairing their ability to swim, avoid predators, and reproduce. Pesticides can also reduce food supplies and adversely modify salmon habitat.

PESTICIDES POLLUTE SALMON STREAMS

Pesticides pollute streams in Washington, Oregon, and California at levels that can harm salmon.

- **Dozens of Pesticides Pollute Salmon Streams:** The U.S. Geological Survey detected dozens of pesticides in each of six major salmon watersheds in the Northwest and California.
- **Unsafe Levels of Pesticides:** The U.S. Geological Survey found sixteen pesticides at levels unsafe for aquatic life in rivers and streams where salmon live.

INTERIM PROTECTIONS FOR SALMON ARE NEEDED

To reduce harm to salmon during the time it will take to put permanent protections in place, the court granted interim measures in January 2004 to provide immediate protection.

- **No-spray Buffers:** Judge Coughenour has ordered no-spray buffers to protect salmon streams. The standard buffers are 100 yards for aerial applications and 20 yards for ground applications, with exemptions for products unlikely to pollute water.



Photo by ONRC

- **Salmon Hazard Warnings:** The Court required that the following warnings be provided to urban consumers where seven pesticides that pollute salmon streams are sold:

Salmon Hazard
*This product contains pesticides that may harm salmon or steelhead.
Use of this product in urban areas can pollute salmon streams.*

BUFFERS CAN PROTECT WATERWAYS FROM PESTICIDES

Eliminating pesticide use near waterways is an established method for reducing pollution.

- **Already Prescribed:** The U.S. Fish and Wildlife Service has prescribed buffers to protect endangered species, including mandatory buffers for other endangered fish in 1989.
- **Nationwide Use:** Nationwide, buffers are the most common mitigation measure in EPA's county bulletins, which are voluntary measures to protect endangered species.
- **State Measures:** California's county bulletins include 200-yard aerial and 40-yard ground buffers. Oregon and Washington's State Forest Rules require no-spray zones along streams.

LIMITED ECONOMIC IMPACTS OF THE INJUNCTION

Buffers will benefit families and industry, while having a minimal impact on agriculture.

- **Buffers Benefit Families and Jobs:** Buffers will have a positive economic impact on the fishing industry. In 1988, before a steep decline in many runs, salmon and steelhead fishing was a \$1.25 billion industry in the Northwest that supported about 62,750 family wage jobs.



- **Minimal Impact:** EPA concluded that the total impact of buffers would be about \$390,000. In contrast, USDA developed inflated figures based on estimates on gross income—not net income—and the unfounded assumption that farmers would not grow crops in the buffer zones.
- **Buffers Already Used:** Many growers already set back crops 20 yards from streams. Land enrolled in the USDA's Conservation Reserve Program utilizes a 100-foot setback from water bodies.
- **Numerous Alternatives:** Farmers can use numerous other pesticides or methods to manage pests.

LIMITED INJUNCTION ON THE WORST PESTICIDES

The ruling has a limited reach and numerous alternatives are available where it applies.

- **Worst Pesticides:** The injunction applies only to 38

pesticides that the U.S. Geological Survey found in salmon streams at levels that harm aquatic life or that EPA determined would be found in streams at levels of concern for fish or fish habitat.

- **Salmon Waters:** Buffers apply only on streams used by salmon and steelhead, and only in areas where salmon are listed as threatened or endangered.

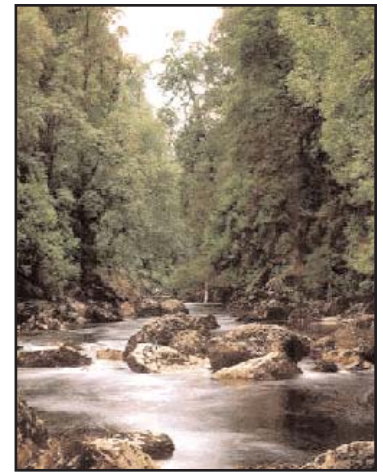


Photo by US EPA

- **Public Health Exemption:** The injunction exempts public health spraying programs (such as mosquito abatement for West Nile virus). The injunction also exempts government noxious weed control programs that embody prescribed safeguards to protect salmon.

BAD FOR PEOPLE AS WELL AS SALMON

The EPA has determined that many of the pesticides that harm salmon also cause harm to people. People may be exposed to these pesticides in the food we eat, the water we drink, and the air we breathe.

- **Toxics in our Homes:** Exposure to home pesticide products, such as those containing disulfoton, an organophosphate pesticide, threaten human health.
- **Contamination of our Drinking Water Sources:** Some pesticides, such as carbaryl, disulfoton, and diuron, can contaminate drinking water sources and threaten the health of children and others.
- **Poisoned Workers:** Several pesticides, including azinphos methyl, carbaryl, chlorpyrifos, methyl parathion, and molinate, poison or harm workers who apply them or who work in sprayed fields.

Fact sheet developed by Washington Toxics Coalition, Northwest Coalition for Alternatives to Pesticides, Pacific Coast Federation of Fishermen's Associations, Institute for Fisheries Resources, and Earthjustice.



Photo by Galen Rowell/Mountainlight)