

# Northwest Coalition for Alternatives to Pesticides

*Protecting the health of people and the environment by advancing alternatives to pesticides*

**To:** orvegtreatments@blm.gov

**From:** Kim Leval, Executive Director, Northwest Coalition for Alternatives to Pesticides (NCAP)

**Subject:** Comments on the Draft Environmental Impact Statement on Vegetation Treatments Using Herbicides on BLM Lands in Oregon

**Date:** January 4, 2010

We appreciate the opportunity to comment on the DEIS for Vegetation Treatments Using Herbicides on BLM Lands in Oregon. The Northwest Coalition for Alternatives to Pesticides is a non-profit 501 (c) 3 organization working in Oregon, Idaho, Washington, California, and Montana. We have over 2,000 paying members and over 30,000 people who have received information about alternatives and are in our database. Our mission is to protect the health of people and the environment by advancing alternatives to pesticides.

Our efforts to seek BLM's compliance with the National Environmental Policy Act resulted in the 1984 U.S. District Court injunction issued in Northwest Coalition for Alternatives to Pesticides, et al. v. Block, et al. (Civ. No. 82-6273-E) and which was modified by the court in 1987. The modified injunction permits the use of only four herbicides: 2,4-D, dicamba, glyphosate, and picloram. Furthermore, the use of these herbicides is limited to the control and eradication of noxious weeds.

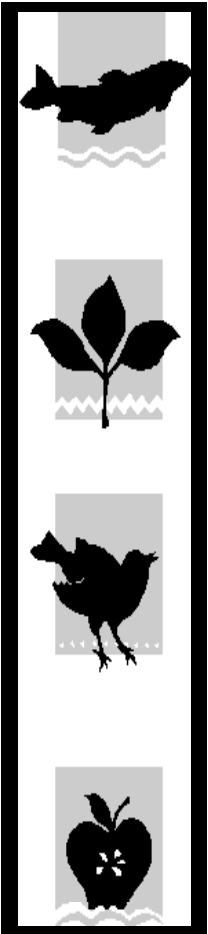
While we understand your interest in limiting the adverse effects of noxious and invasive weeds we think the current DEIS fails to address the root causes that spread noxious and invasive weeds. These root causes include land management practices that disturb soil and native vegetation.

Preferably, we would like to see reduction in the use of these four herbicides. However, this DEIS proposes that additional herbicides be added for allowable use on BLM lands, not only to control noxious and invasive weeds, but also to control native vegetation in some cases such as preserving BLM infrastructure through invasive control around buildings, parks, and other structures.

The preferred, Alternative 4, includes the use of the following herbicides (E=East side only, all others would be statewide): 2,4-D, Bromacil, Chlorsulfuron (E), Clopyralid, Dicamba, Diuron, Fluridone, Glyphosate, Hexazinone, Imazapic, Imazapyr, Metsulfuron methyl, Picloram, Sulfometuron methyl (E), Tebuthiuron (E), and Triclopyr. It also includes no aerial spraying West of the Cascades.

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It is our expectation that BLM's vegetation management plan must be based on the following principles:

- (1) Support continued strict controls on the use of herbicides on federal lands.
- (2) Use herbicides only as a last resort when other options are not feasible. Furthermore, they should only be used within an integrated program that emphasizes prevention, early detection and control.
- (3) Use herbicides in a very limited and targeted way when non-herbicidal options are not feasible, BLM should not use any broadcast applications but instead spot applications. Furthermore, sensitive sites including endangered species habitat and waterways should be avoided.
- (4) Avoid activities that spread weeds. Activities that increase soil disturbance and decrease cover of native vegetation are the biggest problems, including: roads, logging, grazing, OHVs, fire suppression, altered fire regimes, and mining.
- (5) Fully disclose weed spreading consequences of land management activities such as logging, roads, fuel treatments, roads, grazing, OHVs, mining, fire suppression, and altered fire regimes. Furthermore, BLM should explore limiting these activities as a way to avoid the spread of weeds.
- (6) Consider alternatives to herbicides at all stages of decision-making: program, plan, and project.
- (7) Evaluate the risks of all herbicides ingredients, including all "inert" ingredients. Furthermore, these ingredients should be disclosed to the public.

These principles do not seem to be well represented in the DEIS.

From our perspective there are many problems with the proposed expansion in herbicide use that Alternatives 3, 4 and 5 propose.

**BLM's final EIS must evaluate the impact of eliminating root causes of weed infestation in order to prevent new infestations.**

We urge the BLM to do even more to prevent the spread of noxious and invasive species. As we presented in our scoping comments (Norma Grier, July 25, 2008), "[P]revention must be the priority for the environmental analysis for vegetation treatments. The BLM must consider prohibiting disturbance that exacerbates invasive species and preventing introductions of undesired plants on vehicles, boats, animals, or other methods. The BLM needs to consider whether noxious and invasive species can be better controlled by increasing the use of herbicides, or decreasing these root causes.

Prevention must not be confused with early treatment of unwanted species. Prevention addresses the conditions that encourage the introduction and establishment of target plants.” An example of this is the management of understories where all brush is cleared and burned creating space for noxious and invasive species to take over. Management practices that encourage noxious and invasive species to flourish must be changed.

Consider the recent study by Dodson & Fiedler (2006) showing that fuel reduction efforts are of particular concern for the spread of weeds because of the large scale of planned treatments and the combined effect of canopy reduction and soil disturbance. Comparing the invasive weed effects of untreated control, thin-only, burn-only and thin-burn treatments, they found that the treatments that were both thinned and burned consistently had the greatest abundance of both exotic and undesirable species, and this pattern was consistent across all scales of analysis. In fact, the thin+burn treatments had almost an order of magnitude higher cover of undesirable and exotic species than any of the other treatments. The thin-only treatment had the second highest levels of exotic abundance. ERICH K. DODSON and CARL E. FIEDLER. 2006. Impacts of restoration treatments on alien plant invasion in *Pinus ponderosa* forests, Montana, USA. *Journal of Applied Ecology* (2006) 43, 887–897. <http://www.blackwell-synergy.com/doi/abs/10.1111/j.1365-2664.2006.01206.x>

See also, Dodson, Erich. Monitoring change in exotic plant abundance after fuel reduction/restoration treatments in ponderosa pine forests of Western Montana. Masters Thesis University of Montana. May 2004. <http://www.fs.fed.us/ffs/docs/lubrecht/Dodson%20Final%20thesis.pdf>

“While the thin-only and burn-only generally showed increases in exotic richness and cover greater than that of the control, adding together the effects of each treatment does not explain all of the invasion observed in the thin/burn, suggesting a synergistic relationship. ... In fact, understory productivity in ponderosa pine forests has been shown to be limited by competition from trees for soil nutrients and water, not light (Riegel et al. 1992). When combined, treatments may reach a threshold of resource availability necessary for exotics to invade or establish. Individually treatments may not be sufficiently intense to reach this threshold. There is evidence to support the idea of disturbances (fire and mechanical cutting) acting in a synergistic fashion to promote invasion (Hobbs and Huenneke 1992). ... Moreover, fire may be the type of disturbance that promotes colonization for *C. biebersteinii* [spotted knapweed] (Sheley et al. 1999). Adding nitrogen to a system, which may occur the first year after burning (Deluca and Zouhar 2000), has been shown to shift the competitive advantage to *C. biebersteinii* (Blicker et al. 2002).”

**BLM’s EIS should evaluate the possibility of including the Restoring Native Ecosystems Alternative.** Important parts of this alternative were deemed outside the scope and excluded from consideration in BLM’s earlier PEIS, but should be included in this DEIS. The native ecosystems alternative meets the purpose and need better than any

of the other alternatives because it avoids the causal actions that would perpetuate the 12% annual increase in invasive species.

Appendix I to the PEIS for the 17 Western States: [http://www.blm.gov/pgdata/etc/medialib/blm/wo/Planning\\_and\\_Renewable\\_Resources/veis/final\\_eis\\_vol\\_2/final\\_eis\\_appendixes.Par.78552.File.dat/Final%20PEIS%20Appendix%20I%20-%20RNEA%20Alternative%20%28June%202007%29.pdf](http://www.blm.gov/pgdata/etc/medialib/blm/wo/Planning_and_Renewable_Resources/veis/final_eis_vol_2/final_eis_appendixes.Par.78552.File.dat/Final%20PEIS%20Appendix%20I%20-%20RNEA%20Alternative%20%28June%202007%29.pdf)

**BLM does not adequately consider the use of non-herbicidal controls or least toxic herbicides.** Alternative weed control methods should be included in BLM's EIS. Control techniques vary depending on the weed species being addressed. Still, BLM should consider implementing non-herbicidal alternatives.

Several methods have been proven to produce positive results in stopping noxious weeds and other invasive species. For example, manual removal, as well as the use of tools and other machines, has fewer unforeseen impacts than herbicide application. See NCAP's factsheets on bindweed, blackberries, english ivy, knapweed and other unwanted plants (<http://www.pesticide.org/factsheets.html#alternatives>).

The use of goats to simply eat the targeted noxious and invasive plants can be an effective means of weed control (<http://www.pesticide.org/pubs/alts/goats/goats.html>). Finally, other less toxic 'herbicides' such as vinegar, which has stopped invasion of unwanted species targeted in the DEIS, are available, but have not been considered by BLM (<http://www.pesticide.org/pubs/alts/weeds/vinegarinherbicides.html>).

Because the BLM does not adequately explore other readily available, proven and effective alternatives to herbicide use in detail, the DEIS is inadequate and does not comply with the mandates of NEPA.

**Scope of the DEIS is broad and herbicide use beyond use for noxious weeds requires greater analysis and public input.** You propose that the additional herbicide use will allow you to, "...treat any vegetation to meet safety and operation objectives in administrative sites (including schools and parks)," and to "...treat any vegetation as needed to control pests and diseases," and to "...treat any vegetation to achieve habitat goals specified in approved Recovery Plans.." (pg 6) etc. As we cautioned in our scoping comments, BLM must specifically state what is covered and what is not. This is wide open and would allow all types of actions outside of the main intent to control high priority plants. We believe that when BLM proposes a program of this magnitude, NEPA requires a detailed analysis of environmental impacts that cannot be deferred until a later time.

**Full disclosure and analysis of all herbicide ingredients must be included in the EIS.** The U.S. Environmental Protection Agency announced its intent to require pesticide manufacturers to disclose to the public the inert ingredients in their products. The EPA decided that drafting a new regulation will "increase transparency" and help protect public health. We urge the BLM to consider EPA's decision and analyze the risks of the

inert ingredients in the herbicide formulas proposed for use. The effects of these inert ingredients should also be analyzed in order to comply with NEPA.

**The Endangered Species Act analysis in the DEIS is insufficient and does not properly address potential impacts to listed species and critical habitat.** We appreciate the BLM's acknowledgement of recent federal efforts to bring pesticide uses into compliance with the Endangered Species Act. The U.S. Environmental Protection Agency found that current labeled uses of 2,4-D, diuron and triclopyr BEE are likely to adversely effect Oregon's threatened and endangered salmon and steelhead. These three herbicides should not be proposed for use in BLM's EIS. BLM should wait until the National Marine Fisheries Service releases final Biological Opinions for these herbicides and the U.S. Environmental Protection agency implements any Reasonable and Prudent Alternatives. The current DEIS does not go far enough to respond to the risks that the uses of 2,4-D, diuron and triclopyr BEE could have on listed species

The protection of endangered species should be a priority to BLM. BLM must include measures to ensure the protection of threatened and endangered species in every alternative considered in the EIS.

**BLM's EIS must consider special concerns of Sulfonylurea (SU) herbicides.**

As stated in our scoping comments, the Sulfonylurea's (SU) are a troubling group of herbicides, given that they are phytotoxic at extremely low rates of application that cannot be detected. Ecologists have been concerned about impacts on non-target plants, because SUs are capable of interfering with the reproduction of plants, even at exposure levels that show no damage to the plant. A rare or sensitive native annual plant may be unintentionally damaged if it is unable to properly reproduce due to exposure to a SU. Please refer to the work of John Fletcher and Thomas Pfleeger, including the following: Fletcher, JS, Pfleeger, TG, and Ratsch HC. 1993. Potential environmental risks associated with the new sulfonylurea herbicides. Environmental Science and Technology, October: 2250-2252. See also, Fletcher, JS, Pfleeger, TG, Ratsch, HC and Hayes R. 1996. Potential impact of low levels of chlorsulfuron and other herbicides on growth and yield of non-target plants. Environmental Toxicology and Chemistry. 15(7): 1189-1196. In addition, BLM rangeland uses of SUs in Idaho have resulted in a lawsuit due to damage to sugar beet crops from applications some distance away. These concerns must be analyzed in the EIS.

Again, we appreciate the chance to comment. We urge you to consider these important concerns and suggestions. Please contact me should you have questions. My extension is (541) 344-5044 extension 15.

Sincerely,



Kim Leval

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