

## APPLE MOTH SPRAYING DEBATE

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# S.C. to sue to halt spray

## City Council votes to file CEQA lawsuit

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*Light Brown Apple moth*  
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In a split vote Tuesday, the Santa Cruz City Council decided to challenge the state's aerial spraying of the light brown apple on the basis the state failed to conduct an environmental review on the impact the pesticide will have on the people and the environment under the California Environmental Quality Act.

With City Council members Cynthia Mathews and Lynn Robinson dissenting, Mayor Emily Reilly and councilmen Ed Porter, Tony Madrigal and Ryan Coonerty voted to hire Sacramento environmental attorney Jim Moose to lead the city's fight against the state, said Assistant City Attorney Tony Condotti after the closed session.

Moose has worked with the city in the past, most recently in trying to stop UC Santa Cruz from expanding, Condotti said.

The Santa Cruz County Board of Supervisors on Tuesday also condemned the state's plan to spray in urban settings until a full environmental assessment was completed. But the supervisors stopped short of pursuing the matter legally, a disappointment to the some on the City Council who hoped to file a lawsuit jointly, Reilly said.

The city hopes Moose can help them stop the state's spraying by claiming in Santa Cruz County Superior Court that the state should not have been exempt from an environmental review — and that the declaration of emergency does not live up to the act's definition of what entails an emergency, Condotti said.

"The issue isn't the moth so much as it is the lack of envi-