

Moth

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minute legal attempt to stop the state Department of Food and Agriculture from spraying Santa Cruz County — from Scotts Valley to Aptos. Three planes are scheduled to spray Santa Cruz County tonight. Monday night the state was set to conduct spraying over portions of Salinas, Prunedale and Las Lomas, but that was canceled due to fog.

The state believes the spraying of the pesticide, LBAM-F, is safe and virtually nontoxic, and state officials repeatedly have said in public hearings and town hall meetings that the pesticide isn't really a pesticide in the true sense of the word.

Instead, it's a synthetic pheromone that mimics the scent of a female moth, confusing the male moths and disrupting the mating cycle to the point where the moths eventually die off, they maintain. The spraying could continue every spring and fall until 2010, with spraying every 30 days if need be.

And if the state doesn't spray the pheromone soon, the state contends, California's agriculture could suffer — as much as \$680 million a year. That's because the moth has been known to feed on some 250 fruits and vegetables, something that it has done in its native country, Australia. In Santa Cruz County, more than 8,500 moths have been caught, the largest concentration in the state.

Opponents, however, are afraid the pesticide could cause harm. They point to the Monterey Peninsula, where a similar pesticide, CheckMate OLR-F, was sprayed in September. Since then, more than 200 residents have complained of respiratory illnesses from Carmel to Seaside, including bouts of wheezing, coughing and problems breathing.

State public outreach and response programs

■ A Web site with information about the moth, www.cdffa.ca.gov/LBAM.

■ An e-mail and phone hot line to log health complaints to be monitored daily, LBAM@cdffa.ca.gov, [800] 491-1899, ext. 0. The hot line will log health complaints, which will be compiled and analyzed by a medical toxicologist. Complaints could be forwarded to the local county agricultural commissioner for investigation or the county public health officer.

■ Fact sheets addressing health and science issues are being developed for distribution and posting on the Web site.

■ Community meetings have been set and mailers sent to all homes in the affected communities.

■ Aerial treatment maps will be posted on the Web site showing the previous night's spray path. The maps will present a schematic showing each 100-foot wide path the planes make. Each pass will receive a single spray of treatment; nozzles are turned on and off using a computerized system guided by GPS technology.

■ E-mail updates to subscribers announcing intended areas of treatment, weather permitting. The morning after the treatment, follow-up e-mails will be sent to subscribers with results of the applications. E-mails will include a link to a map showing the progress of the treatment. Those interested in receiving e-mail updates may sign up at: http://www.cdffa.ca.gov/phpps/PDEP/lbam/lbam_main.html

SOURCE: California Department of Agriculture

Robert A. O'Farrell to grant a temporary restraining order that stopped the spraying Oct. 10. He lifted that order eight days later, saying there wasn't enough evidence to show a connection between the pesticide and the reported illnesses.

Last week, Santa Cruz County Superior Court Judge Paul P. Burdick shot down a request for a temporary restraining order after hearing similar arguments from county attorneys representing the Santa Cruz County Board of Supervisors.

Monday's hearing was the result of efforts by Williams, a 1983 UCSC graduate and biology major. Now a health provider who lives in northern Santa Cruz County where there is no spraying scheduled, Williams said she thought her civil rights were violated because the state failed to conduct an environmental impact report.

The state has said the moth presented an emergency and was capable of causing up to \$680 million damage to the state's agricultural industry. To date, however, there has been little damage to crops in Monterey and Santa Cruz County, according to farmers and agricultural offices.

"How can it be an emergency when most of the moths during the winter time don't even reproduce," said Williams, who volunteers at the UC Santa Cruz Arboretum.

The judge's decision came as a disappointment to many residents who showed up at the federal courthouse in downtown San Jose.

"It's time to get out of town," Bonnie Keet, a Soquel resident and mother of two boys, said after hearing of the judge's ruling. "It's not something I want to do, but I'm basically being forced to do it. It's so hard to know what's the right thing."

Their concerns led Monterey County Superior Court Judge

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