

Spray

Continued from Page A1

ronmental review and the regulations set forth in the state's Environmental Quality Act," said Condotti. "Having reviewed it carefully myself, I think there's a good argument..."

According to the language in the act, Condotti said, a declaration of emergency is "a sudden, unexpected occurrence involving a clear and imminent danger demanding an immediate action to prevent or mitigate loss of or damage to life, health, property or essential public services."

The state in early October filed an exemption from an environmental review on the basis that the moth, if not stopped, could cause significant damage to California's agricultural industry — to the tune of some \$640 million a year. The highest concentration of the light brown apple moth in the state has been found in Live Oak and Soquel with more than 7,500 trapped. The state says the moth has the potential to damage 250 crops and more than 1,000 plants including the Central Coast cypress, redwoods, oaks and other varieties found in urban and suburban landscaping, public parks and natural environment. Among the list of agricultural crops on the moth's diet are grapes, citrus and stone fruits.

But some residents in Santa Cruz and Monterey counties have

Light brown apple moth spraying

WHERE: Scotts Valley, Santa Cruz, Capitola, Live Oak, Soquel, Aptos, Las Lomas, Aromas, Prunedale and Salinas.

WHEN: 8 p.m. to 5 a.m. Nov. 4-9.

WHY: Control breeding of light brown apple moth.

COST: \$2.7 million.

INFORMATION: http://www.aphis.usda.gov/plant_health/ea/downloads/lbam_ea_sc.pdf

SOURCE: California Department of Agriculture

opposed the state's tactics, saying the long-term health effects of the pesticides, CheckMate LBAM-F and OLR-F, manufactured by Bend, Ore.-based Suterra LLC, are unknown.

The state claims the pesticides merely confuse the male moths by replicating the scent of female moths, thus throwing the males course and effectively disrupting the mating cycle to the point where they die off.

While independent chemists contacted by the Sentinel say the pesticides are safe, provided they are administered in low concentrations, for some residents the issue has become a matter of individual rights versus what the state can or cannot do.

A similar lawsuit has been filed in Monterey County Superior Court by HOPE, or Helping Our Peninsula's Environment, a Carmel group. It lost its battle to stop the spray-

State public outreach and response programs

■ A Web site with information about the moth, which can be found at www.cdffa.ca.gov/LBAM.

■ An e-mail subscription service — under development — with real-time information.

■ 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

ing last week when Judge Robert A. O'Farrell ruled that HOPE failed to prove that one of the pesticides used by the state, OLR-F, was linked to respiratory problems reported by more than 100 Monterey Peninsula residents after it was sprayed in late September.

But HOPE still plans to pursue its claim that the state needs to conduct an environmental review, according to its executive direc-

tor, David Dilworth. Although the spraying was not stopped, he's hoping to stop it in the spring.

Spraying on the peninsula resumes today. Spraying over North Monterey County and parts of Santa Cruz County is scheduled for Nov. 4-9.

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