

New lawsuit filed to stop moth plan

Santa Cruz spraying likely
will be delayed after fog
grounds planes in Monterey
Light Brown Apple Moth

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SAN JOSE — In a last-ditch effort to stop aerial spraying aimed at eliminating the light brown apple moth, three Santa Cruz County women are suing the U.S. Department of Agriculture and the state Department of Food and Agriculture, saying their civil rights have been

If You Go

WHAT: Light brown apple moth court hearing. Three county residents are seeking a temporary restraining order on spraying that is scheduled to start tonight.

WHEN: 11:30 a.m.

WHERE: U.S. District Court in San Jose, 280 S. First St., Courtroom No. 8.

violated and that they have not received due process.

Edna Williams, Aubrey Belgard and Marilyn Garrett are set to appear before U.S. District Court Judge James Ware today at 11:30 a.m. in the 9th District Court in San Jose, according to the court docket. State airplanes were scheduled to spray portions of Santa Cruz County tonight. However, spraying that was

set to start Sunday night in parts of northern Monterey County was called off due to heavy fog, and that likely will delay spraying here.

The federal lawsuit was filed late Friday, a day after Santa Cruz County Superior Court Judge Paul P. Burdick denied a temporary restraining order sought by the county against the spraying of LBAM-F. He ruled that county attorneys failed to prove the pesticide would harm the public.

A similar pesticide, OLR-F, was sprayed in Monterey County in September. Since then, more than 100 residents there have reported minor respiratory illnesses, including bouts of coughing, wheezing and problems breathing. Many have blamed the pesticide, manufactured by the Bend, Ore.-based Suterra LLC. The company also manufactures LBAM-F, which is said to be similar in nature. The long-term health effects of the pesticides are unknown.