## Cucchiara 'committed to legal course of action' to stop state

By KEITH MURAOKA Sentinel Staff Writer

FELTON — Angry shouting matches, a tug-of-war over a microphone and even tears of frustration failed to sway state officials Tuesday night, who vowed to preced with the controversial plan against the gypsy moth and spray 250 acres here in March.

Fifth District Supervisor Joe Cucchiara (San Lorenzo-Scotts Valley) told The Sentimel afterward he was "absolutely committed to a legal course of action." He wowed to ask fellow county supervisors to support a lawsuit seeking an injunction to stop the spraying.

Dr. Isi Siddiqui, assistant director of the state Department of Food and Agriculture — which is mandating the eradication battle plan — also told The Sentinel afterward there was "no chance" the state would back off on its plans.

He said the state successfully won a

court challenge in Santa Barbara in 1982 for a similar eradication plan. He is confident the courts will again find the state "is acting responsibly" if another court challenge occurs.

A standing-room-only crowd of more than 150 attended the meeting, which was billed as "informational" rather than a "debate." The decision by the state had already been made. Many long-time Valley residents maintained it was the most volatile meeting in memory.

Time and again individuals shouted down state officials, saying they were lying about the relative safety of the insecticide carbaryl which is planned to be ground sprayed over 175 acres. They said carbaryl was much more hazardous than malathion and was a known carcinogenic. Several claimed the state killed residents with its aerial spraying of malathion in 1981 during the Mediterranean fruit fly

Carbaryl, known as Sevin to home gardeners, will be ground sprayed three times over 175 acres in 10- to 14 day intervals, according to John Connell, area manager for the state's plan. Additionally, a 250-acre overlapping area will be sprayed by helicopters four to six times with a non-chemical compound known as Bacillis thuringiensis over seven-day intervals.

The extensive spray program is needed to rid the area of gypsy moths, said Curry. It is the moth's voracious caterpillars that hatch in spring that have the potential for wide-spread defoliation, attacking everything from redwood trees to vegetable gardens.

At one point during the meeting, Felton postmaster Ken Burke, who was acting as moderator, had to struggle with two women who attempted to wrestle the microphone away. Several times others in the audience told their neighbors to "shut

up" so they could hear the state officials speak.

Cucchiara blamed the state officials for forcing the outbreaks. The method in which the meeting was held — making those who wanted to speak fill out cards before the meeting and not taking any other questions — "frustrated everyone," according to Cucchiara.

"It was clear they did not want to hear from the residents," Cucchiara said. "They ran a railroad here tonight. It was a concerted effort not to hear legitimate concerns of residents.

"What is most offensive to the intelligence of residents is the 'no ifs, ands or buts' attitude that the state took early on," he added. "It simply smacks in the face of the spirit this government was founded upon."

Resident Linda Bartlett, in comparing

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Solid line shows the area of spraying to battle gypsy moth

## Gypsy moth spraying to proceed

the state's attitude to a dictatorship. asked. "Have the Russians invaded?" Added Michele Norbana-Moore: "I can't believe this is America. I can't believe they say we don't have any rights in this matter.

Several residents, led by Eleanor Galiardi, even urged others to "resort to force" to prevent spray teams from entering their property.

"Get these people out of town," Galiardi pleaded. "If you have to, resort to force. And I believe with all my heart that those who love children will not allow the state to poison us again."

Deputy Attorney General Charles Getz replied that residents "had every right to challenge the state in court." He cautioned them. "Don't go out there and get arrested. The law does not give you the right to use physical force, but the law also gives the state the right to come onto your property to spray.'

In answer to another question, Getz said state law doesn't mandate public hearings be held before the decision is made to spray an area.

Galiardi charged that the same insecticide that killed more than 2,000 in

used to produce carbaryl. Dr. Peter Kurtz. extremely tall tree canopy. What foliage medical coordinator of the state's plan, denied the charge.

Resident Sherry Crandal presented Kurtz with a 464-signature petition asking the state to abandon the carbary portion of the plan. She said it was too dangerous and had not been adequately tested.

"The burden of proof concerning carbaryl's safety should be on the state, not the public," she said. "Please do not wait until children are harmed and tell us well, we didn't know.' The life and health of even one child is too valuable for only a few gypsy moths."

Kurtz replied the state has "adequate assurances" that carbaryl is safe, although he added, "It's impossible to give vou absolute assurances."

According to Kurtz, no chemicals are absolutely safe. "Safety is not a characteristic of chemicals. Safety is a characteristic of users."

Connell explained that the state would like to get by with just using B.t. and avoid carbaryl altogether. Their experience has shown, however, that B.t. alone "is not a proven eradicant." He said it it used more

The two-prong spray attack is necessary dog's flea collar."

Continued from Page Al Bhopal, India — methyl isocynate — is due to the area's mountainous terrain and that can't be sprayed from the ground will be hit from the air by helicopters.

Connell gave assurances that adequate public notice will be given before the sprayings, and that domestic water supplies will not be sprayed with carbaryl. He was interupted once by a woman who yelled, "You're nothing but murderers and liars. And we have to sit through this garbage!

There were a handful in the audience, however, in support of the spray plan.

Resident James Luke called the shouters "uncouth," adding that he didn't want to see the moths eat away the area's beautiful trees. Tom Amrhein, representing the Santa Cruz County Farm Bureau, and Steven Smith of the California Department of Forestry, also testified in favor of the state.

Siddiqui said afterward that he's seen more volatile meetings, such as one held in San Jose in 1981 during the Medfly

"I wish the people here would listen more," he added. "We're talking about a carbaryl spray concentration of one-tenth of 1 percent. There's more carbaryl in a