

Appendix E. Written Comments Received on the Draft EA

X-Sender: forester@proaxis.com (Unverified)
Date: Mon, 03 Feb 2003 10:15:15 -0800
To: gypsymoth@oda.state.or.us
From: Steven Kadas <forester@proaxis.com>
Subject: comments re:eradication program for Fisher area

Kathleen J.R. Johnson
Oregon Dept. of Agriculture, Plant Division
635 Capitol Street NE
Salem, OR 97301-2532

Dear Kathleen,

I am writing to offer comments regarding the Gypsy Moth eradication program being considered for the Fisher area in Lincoln County. My occupation is Chief Forester for Thompson Timber Company, Corvallis, Oregon. Thompson Timber Company manages timberlands for Thompson Tree Farm, Inc., also of Corvallis. Thompson Tree Farm, Inc. owns 110 acres of timberland located on Cherry Creek, T14S, R9W, Section 31, which lies just outside the 706 acre eradication area of the project.

As a landowner with long-term interests in the area, we strongly support the decision to aerially apply Btk over the infestation area in order to eradicate Gypsy Moths.

Please let me know if I can be of service in any way to help with the implementation of the proposed action.

Respectfully,

Steven Kadas, Forester
Thompson Timber Co.

Subject: Five Rivers project
Date: Tue, 11 Feb 2003 10:02:05 -0800
From: "Newton, Michael" <Mike.Newton@orst.edu>
To: <bbuckley@fs.fed.us>
Cc: <gypsymoth@oda.state.or.us>

Dear Mr. Buckley:

Reference is made to the cooperative program to spray gypsy moth with b.t. on private land near Fisher, Oregon.

My family owns 65 acres in the middle of the project area, mostly in managed Douglas-fir forest cover. We are anxious to avoid an outbreak of any destructive exotic insect or disease in that vicinity, if for no other reason because the forest land in that area is some of the world's most productive land for growing Douglas-fir, which had unmatched properties for construction world-wide. This is not only a resource for our family, it is a critical resource for the country, and a source of employment for residents of the area.

My preference for treating the moth would be a product that provides better insurance of eradication that is usually provided by a biological product. Carbaryl is safe and effective. I understand that there are sentiments in the area in opposition to that, but having a totally effective treatment when an outbreak is young is a cardinal principle of integrated control.

Having said that, I do support the use of b.t. if that is the only option now available. It is clearly a more attractive option than not treating.

I believe it would be a serious error to fail to treat with an effective remedy once an outbreak of Gypsy moth is spotted.

Please ensure that there is follow-up observation to determine whether there are residual moths, and, if they are found to be present, plan for the use of an insecticide such as carbaryl, with b.t. in stream buffers, if there is to be a follow-up.

I offer the above suggestions from 45 years of experience at OSU dealing with environmental effects of pesticides and alternatives for dealing largely with vegetation. I am author of the EPA's *Silvicultural Chemicals and Protection of Water Quality*, Report 97/9-77-036, 224 pages, Seattle, and also of over 200 other publications dealing with pesticides and their long and short-term consequences. I remain active in this research on a full-time basis. I hope the above has some value for your program.

I do support the program, and appreciate the USFS and ODA being on the job to handle such emergencies.

Michael Newton, Professor Emeritus, Forest Ecology
OSU Department of Forest Science
• (Home 541-929-3074)

From: "Peter and Lorraine Karassik" <karassik@casco.net>
To: <kjohnson@oda.state.or.us>
Subject:
Date: Mon, 24 Feb 2003 11:36:25 -0800

This is in response to the presentation of the ODA in regard to the gypsy moth eradication proposal for 5 Rivers.

1. We want the gypsy moth eradication plan to meet the needs of the ODA and the community of Five Rivers .
2. The presentation led us to believe that this wasn't a proposal but a done deal-- therefore we felt disempowered and disrespected.
3. No alternatives seemed viable to the ODA.
4. If a spray product is used, we want a product that meets OMRI's list of accepted formulations which are in keeping with organic practices.
5. We object to a spray formulation being used that contains ingredients whose contents must remain unknown.
6. Foray 48 b's warning labels are troublesome. Ag use and forest use recommend the same concentrations of the same product. The ag use warning label warns not to use Foray 48b over water and to not allow people into the spray area for 12 hours after application. We want the precautionary principle followed which means when there is the presence of uncertainty and possible harm, you take precautionary measures. If Foray 48 b is used, we want the most stringent warnings of the manufacturer followed.
7. We would like to take part in any monitoring and trapping following possible spraying. We have a source of possible monies.
8. Since the meeting I have had contacts with Kathleen Johnson of the ODA and I feel some of our concerns and viewpoints are being heard. We hope that a solution to the gypsy moth problem is reached with the cooperation of the Five Rivers community and the ODA.
9. Please keep us informed about any actions, decisions, and cooperative solutions.
10. Thank you, Peter and Lorraine Karassik 1087 Buck Creek Rd.
Tidewater,Or. 97390 541-528-7192 karassik@casco.net

Date: Mon, 24 Feb 2003 22:17:48 -0800
From: Craig Harbison <charb@presys.com>
To: kjohnson@oda.state.or.us
Subject: Target area - Five Rivers

Recently our community in Five Rivers was notified by the USFS and the ODA as to the introduction of the gypsy moth into our area.

I think all parties concerned are aware of the potential gravity of a gypsy moth infestation. What I take issue with is the manner in which this situation has been addressed by the various agencies involved. Since our initial notification, many members of our community have submitted written comment and attended the meeting sponsored by the USFS and the ODA. Even if well intentioned, the presentation given was lacking in substantive responses to our concerns. In fact, the entire process has seemed perfunctory with the conclusion preordained..

Another galling aspect of this process is the pesticide being foisted on us. Although touted by government agencies as being "safe", I think there exists a long history in corporate America of agencies assuring the public that products are "safe." We need look no further than the tobacco industry. We want a product certified organic. We expect a product certified organic since it seems in the realm of possibility.

I would also echo other concerns expressed at the Waldport meeting. This is very much a community committed to organic farming practices (whether certified or not). Has this operation been truly evaluated as to its impact on the residents of Five Rivers? Has the targeted acreage been assessed realistically?

I would support the comments submitted to your office by Peter and Lorraine Karassik. I would like to add that this is an issue that concerns us all. We should be working in cooperation with each other, not at odds with each other. We are a formidable, eclectic group of people and not without resources.

Sincerely,
Mona Linstromberg
831 E. Buck Ck. Rd.
Tidewater, OR 97390
541-528-3512

Mailing address:
87140 Territorial Rd.
Veneta, OR 97487
541-935-2795



Oregon Tilth, Inc.

470 Lancaster Dr. NE • Salem, OR 97301 • Phone (503) 378-0690 Fax (503) 378-0809
Email: organic@tilth.org Web Site: www.tilth.org

February 24, 2003

Kathleen J. R. Johnson, Ph.D.
Insect Prevention and Management Program
Oregon Department of Agriculture
635 Capitol Street NE
Salem, OR 97301-2532

Dear Ms. Johnson,

Thank you for inviting Oregon Tilth, Inc. to comment on the draft Environmental Assessment Gypsy Moth Eradication Program Lincoln County January 27, 2003 received February 23, 2003. As you are aware, Oregon Tilth is the principle USDA-accredited organic certification agent operating in Oregon.

Although a biological agent such as *Bacillus thuringiensis* subsp. *kurstaki* is certainly a preferable choice of insecticide for the eradication effort, this draft fails to adequately assess the impact on organic gardens and perhaps organic farms present in the treatment and buffer areas.

The USDA National Organic Program 7CFR Part 205.601(m)(1) states that synthetic inert ingredients used with an active pesticide ingredient in organic production must appear on EPA List 4 – Inerts of Minimal Concern. This draft Environmental Assessment specifies the presence of organic sites and briefly describes inert ingredients in the proposed pesticide formulations but fails to distinguish either the synthetic/nonsynthetic status or the EPA List 3/EPA List 4 status of 'inert' ingredients in Foray 48B and Dipel 6AF.

Part 205.672(a) (and (b)) state that any harvested crop (or livestock) that has contact with a prohibited substance applied as the result of a Federal or State emergency pest treatment program cannot be represented as organically produced.

Until distinctions concerning inert ingredients are made, and compliance with the National Organic Program is confirmed, the recommended eradication strategy threatens to have negative social on people of Fisher, Oregon by depriving them of choice to grow and consume organically produced food and enjoy organically managed gardens.

If organic farms are present in the treatment or buffer areas, the negative impacts could expand to include economic threats to producers. Although the land would retain its organic status according to Part 205.672, treated crops could not be marketed as organic, perhaps resulting severe financial hardship for the affected producer.

I encourage the Oregon Department of Agriculture to resolve the issues surrounding pesticide 'inert' ingredients and organic gardens and farms prior to proceeding with the recommended eradication program.

Thank you for considering my comments and if I may be of further service, please do not hesitate to contact me at the phone number or address given above.

Sincerely,

P. Gonzalves

Pete Gonzalves
Executive Director

CAROL VAN STRUM
7493 East Five Rivers Road
Tidewater, Oregon 97390
(541) 528-7151

Date: February 24, 2003

To: Kathleen Johnson
ODA Plant Division

Fax #: (503) 986-4786

pp.: 10

Re: Comments on Draft Environmental Assessment, Gypsy Moth
Eradication Program, Lincoln County, January 27, 2003

A December 10, 2002 letter from Ed Becker of the Siuslaw National Forest informed us of this project and asked for our comments and site-specific concerns. Many Five Rivers residents, including myself, responded with serious questions and specific, detailed concerns about the project.

The draft EA acknowledges receipt of our comments (pp. 9-10), but except for that acknowledgment the EA nowhere addresses the concerns we raised. For example, my detailed January 1, 2003 comments are completely ignored in the draft EA; I attach them and hereby incorporate them in these comments. I strongly suggest that instead of copying and pasting most of its EA from an eight-year-old federal EIS, ODA and the Forest Service prepare a proper, site-specific EA for this project, addressing fully the site-specific concerns and alternatives raised by the public:

1. The draft EA does not state the cost of the proposed project, an omission that precludes meaningful comment and comparison of alternatives.
2. The draft EA does not state how much of the cost will be paid by the state of Oregon and how much by the federal government.
3. The draft EA nowhere explains the need to spray 705 acres aerially to eradicate gypsy moths found only in a single yard. It does not discuss any site-specific factors, or any other factors, to support this decision, precluding any meaningful comment and analysis of how this acreage figure was reached, the site-specific factors underlying it, and the site-specific basis on which the boundaries of the area were determined.
4. The only "alternatives" discussed in the draft EA are lifted wholesale from a 1995 federal EIS and include no site-specific alternatives whatsoever except a "no action" alternative. For

example, the draft EA nowhere discusses any treatment option other than the aerial spraying of 705 acres, omitting any other alternatives such as treatment only of the affected yard, outside of which no trace of gypsy moths were found. As spraying of the yard and its immediate vicinity could be accomplished with ground equipment, followed by the mass trapping already planned, this would obviously have the least environmental impact and be the cheapest and most efficient use of financial resources. The draft EA itself notes a number of successful gypsy moth eradication projects in Oregon with ground equipment on "small" infestations of four to twenty-two acres (see p. 3 of draft EA); certainly an infestation limited to a single yard warrants thorough consideration of the same alternative, particularly given current gross deficits in both state and federal budgets. Without any discussion of such site-specific alternatives, the draft EA defies meaningful comment and confirms the impression that the decision was made and finalized before any public comment was solicited.

5. By omitting any site-specific treatment/application alternatives, the draft EA also omits any discussion of the costs of such alternatives, making it impossible to compare such costs to the costs of the "preferred" project, the costs of which are also omitted. These omissions alone render the entire draft EA useless and public comment futile.

6. The treatment options in the draft EA are lifted wholesale from the 1995 federal EIS, omitting any site-specific or product-specific options suggested by our comments. For example, the draft EA adopts the Btk alternative, along with all discussions of environmental and human health impacts, from the 1995 EIS, which refers only to Btk itself, not to the specific product, Foray 48B, that the EA has chosen. There is no discussion whatsoever of the basis for choosing Foray 48B instead of any other Btk product, or of the environmental and human health impacts of Foray 48B compared to other Btk products. Totally ignoring our comments regarding unidentified ingredients in Foray 48B and our concerns about our surface water supplies and organic produce, meat, and eggs, the EA nowhere discusses alternative Btk products for which the ingredients are known or which are approved for use on organic produce. This failure also renders the entire draft EA useless and public comment futile.

7. The draft EA does not cite a single laboratory toxicity study of the effects of Foray 48B for its claims of safety to humans and the environment, relying almost exclusively on laboratory studies of pure Bt rather than of formulated products such as Foray 48B, which contains only 2 percent Bt. Indeed, the draft EA cites only a single laboratory study on any Bt product formulation, a 1972 acute toxicity study with Disparture conducted by Industrial Bio-Test Laboratories, a company notorious for wholesale fraud and falsification of toxicity tests, all of which were declared invalid by EPA and FDA; the directors of the company were convicted of fraud. Because even invalid and fraudulent

toxicity tests have been allowed to support EPA pesticide registrations, the courts have held repeatedly that an agency cannot rely on EPA registration as evidence of safety and must independently review and evaluate the toxicity of the specific product it intends to use. The draft EA nowhere indicates that even a superficial attempt has been made to review a single valid laboratory toxicity study of Foray 48B.

8. In spite of numerous comments regarding the impacts of Foray 48B spraying on farms growing organic (whether certified or not) produce, berries, fruit, eggs, and beef for sale, the draft EA nowhere discusses these concerns, nor does it reveal that Foray 48B is not included on the list of biological controls acceptable for organic produce by Oregon Tilth. The total failure to discuss these concerns, to consider the economic impacts on the population affected, or to discuss alternative products acceptable for organic uses, is an insult to the public comment process.

9. Similarly, in spite of comments regarding the safety of spraying Foray 48B directly into our domestic water supplies, which are almost all surface springs, the draft EIS dismisses such concerns with a cavalier reference to EPA registration, which as noted above does NOT guarantee safety. Particularly given the Foray 48B label's specific prohibition of applications to surface water, this dismissal of our concerns is unconscionable.

In summary, the draft EA reduces its purported alternatives to a choice between "no action" and its preferred option, as if no other treatment, application, or product alternatives existed. The comments we previously submitted in good faith certainly pointed to the existence of such alternatives, and the EA's failure to consider them renders the entire project suspect.

We do not want gypsy moths in our valley and we have genuinely attempted to participate meaningfully in ODA's project. The same cannot be said for ODA, which has totally ignored our concerns in this draft EA. Should ODA proceed with its preferred option it should not expect cooperation in this or future projects from the people it has insulted and dismissed as negligible.

Sincerely,



Carol Van Strum
attachment

CAROL VAN STRUM
7493 East Five Rivers Road
Tidewater, Oregon 97390
(541) 528-7151

January 1, 2003

U.S. Forest Service
South Zone Ranger District
4480 Hwy 101, Bldg G
Florence, Oregon 97439

Attn: Gypsy Moth Eradication Project

Re: December 10, 2002 notice
File Code: 1950

COMMENTS ON DECEMBER 10, 2002 NOTICE LETTER

Because the above-referenced letter does not provide enough information upon which to base meaningful comments, I have filed a December 30, 2002 Freedom of Information Act request (attached) in order to obtain the necessary information. The FOIA request also seeks information concerning contracts and agreements with spray manufacturers, suppliers, and applicators, in order to determine whether the decision to spray was made prior to any environmental assessment being made, as is strongly suggested by the December 10 letter's statement that the Forest Service is requesting an exemption from stay on appeal.

Whether or not the decision to spray predates any environmental assessment, I expect the information requested in the attached FOIA request, and answers to further questions raised in these comments, to be provided to us as well as a draft environmental impact statement, in order for us to comment meaningfully on the need for and environmental impacts of the proposed project before a final decision on the project is made and a final environmental impact statement published.

The following information and answers must be provided before meaningful public comment is sought:

1. The letter does not provide enough information to determine the need for the project

The December 10, 2002 letter does not identify where in the "analysis" area traps were located, in which traps and locations no gypsy moths, eggs, or larvae were found, or in which specific location[s] and traps any gypsy moths, eggs, or larvae were found; nor does it specify how many gypsy moths and/or egg masses were found, and where. According to the owner of the property in-

volved, the only egg masses found were located on a van that had traveled here in late 2000 from New York state, and on buildings next to the van; the only gypsy moths found were three males, which were also in the immediate area surrounding the van, the farthest being found at the mailbox.

If these were indeed the only egg masses or adult moths found, there is strong reason to question the proposed spraying of over 700 acres, as according to USDA literature, female gypsy moths do not fly and so lay their eggs close to the place where they issued as moths. If no egg masses were found outside the immediate vicinity of the van from N.Y. that apparently introduced them, it would be reasonable to assume the infestation to be localized to that immediate area, and the Forest Service must explain in detail why the aerial spraying of private homes, gardens, surface water supplies, livestock, salmon-bearing creeks, wildlife, and orchards over more than a full square mile is necessary.

Without specifying the exact location of each moth and egg mass found, the December 10, 2002 letter does not provide enough information for meaningful public comment on the necessity of the project. This information must be disclosed before any public comment period for the project is closed, and sufficient time allowed for public investigation and understanding of the proposed project and alternative options to it.

2. The December 10 letter's failure to identify the components and/or ingredients of Foray 48B precludes any meaningful comment

Because the letter does not identify all components of the product it apparently intends to spray (Foray 48B, identified only in the attached "Oregon Health Division's 2001 Btk Fact Sheet"), and because the unreferenced laboratory studies discussed in the attachment were conducted on Btk alone, not on the complex mixture of "inert" ingredients, stickers, binders, contaminants, preservatives, and other components in combination with Btk in the formulated product, the Forest Service must disclose fully the identity of each and every component of the product it intends to spray. The Forest Service must also determine what break-down products are likely to form from each component and from the combination of components, and determine the toxicity and environmental persistence of each component and break-down product as well as of the entire mixture.

Without such information on the identity, toxicity, and persistence of all components of the product, it is impossible to assess potential impacts on wildlife, livestock, fish, humans, or water quality. Because the project intends to spray our water supplies, most of which are open surface springs, as well as our livestock, gardens, pastures, and homes, the Forest Service cannot even pretend to assess its impacts without first identifying all the components of the proposed product and determining

the toxicity and persistence of each component, of any and all breakdown products, and of the total mixture.

In this regard, the Forest Service must recognize that most if not all residents of the "analysis area" cut firewood from the area, stack it, and burn it for heat and/or cooking. The identity of all components and breakdown products of the intended spray is crucial to understanding whether any toxic materials such as dioxins, benzopyrenes, etc., will be formed by the burning of the sprayed wood.

The Forest Service must disclose the above information in order for the public, and in particular the residents it intends to spray, to provide meaningful comment. Because it intends to spray directly both private property and surface water supplies as well as salmon-spawning streams, any trade-secret status afforded the manufacturer of the intended product is far outweighed by the public's need to know and comment on this government project. If the manufacturer refuses to allow such disclosure, the Forest Service must pursue other alternatives to this project.

3. The notice letter fails to identify cumulative impacts of this project upon residual effects of prior Forest Service activities in the same area

The December 10, 2002 notice letter presents this project as if it were to be carried out in a pristine landscape without any prior contamination that could interact with the Foray 48B spray. This implication is misleading to the point of deliberate deception. The Forest Service of all agencies knows, or should know -- and the residents of Five Rivers have not forgotten -- the damage inflicted by the Forest Service in the past.

During the 1970s, the Forest Service aerially sprayed dioxin-contaminated herbicides over most of the federal land included in the present project. As the Forest Service's own studies amply demonstrated (see Forest Service documents submitted in *CATS v. Berglund*; U.S.E.P.A., In re: The Dow Chemical Company, et al, docket no.s 415 et al; and the U.S. Forest Service's own 1978 "Final Environmental Statement: Vegetation Management With Herbicides, Pacific Northwest Region"), this spraying resulted in high dioxin levels (2,3,7,8-tetrachloro-dibenzo-p-dioxin, the most toxic synthetic substance known) in wildlife and drinking water sediments in Five Rivers, muscle and fat tissue in deer and elk, and human tissue from a local baby born without a brain.

The associated health problems of residents and their livestock were well documented in the above-mentioned court proceedings, including cancers, heart attacks at a young age, spontaneous abortions, grossly deformed infants, both human and animal, stillbirths, uterine hemorrhaging, and increased susceptibility to diseases such as meningitis. Even four years after EPA's 1979 emergency suspensions of 2,4,5-T and 2,4,5-TP, EPA found that

dioxin levels in Five Rivers stream sediments had increased four-fold, apparently from spray residues continuing to seep into creeks from throughout the watershed.

Dioxin's profound effects on the immune system are well known and well documented, as are its association with a broad range of cancers, heart and circulatory system damage, and reproductive problems (see, e.g., U.S. EPA's ongoing "Health Assessment Document for 2,3,7,8-Tetrachlorodibenzo-p-Dioxin (TCDD) and Related Compounds). Dioxin's extreme persistence in the environment is measured in decades or even centuries, particularly in soil and stream sediments. In assessing the impacts of its new spray plan, the Forest Service cannot ignore the dioxin residues left by its own prior activities in Five Rivers. A responsible assessment must include the following:

- a. Determine by independent analyses by at least two laboratories the current levels of 2,3,7,8-TCDD and other dioxins in water supply sediments, stream sediments, soil, wildlife, fish, livestock, and human samples from the analysis area described in the December 10, 2002 letter;
- b. Determine what health effects associated with dioxin exposure still exist in both animals and humans in the analysis area, using the U.S. EPA and Department of Veterans Affairs compilations of health effects associated with dioxin;
- c. Determine through published, peer-reviewed literature and/or independent contractor research what impacts the current spray project, including each component of the proposed spray product as well as the formulated product, may have on a population (human, animal, and fish) already affected by prior dioxin exposure;
- d. Determine what additive or synergistic effects each component of the proposed spray product, as well as the formulated product, may have with such dioxin residues as remain in the environment of the analysis area.

As none of the unreferenced studies discussed in the fact sheet attached to the December 10, 2002 letter appear to have reported on populations previously exposed to dioxin, they are irrelevant to the dioxin-exposed population and environment that the Forest Service intends to spray here. Until the Forest Service fully investigates and discloses the dioxin assessment described above, it cannot begin to assess the impacts of its current proposal.

4. The December 10, 2002 letter provides no information at all on possible effects of the project on non-target species

It is impossible to comment on a proposal that does not even mention the impacts of the project on non-target species. The

Forest Service blatantly omits such information in its notice. Instead, by attaching a fact sheet pertaining only to human health, the Forest Service clearly implies that no other organisms will be affected, which is patently false and misleading. The fact sheet itself reads more like a manufacturer's promotional flyer than a factual document, deliberately confusing Btk with a product that is 97.9 percent something else, and extolling the safety of it while evading liability with advice to avoid exposure. Nowhere does this alleged fact sheet advise on how livestock or wildlife should avoid exposure, however. For example, we are entrusted with the care of a valuable thoroughbred horse that has emphysema and cannot be confined in a barn without collapsing from breathing dust; how can such an animal "avoid exposure" from aerial sprays? What about our chickens, which eat green vegetation all day? Can the Forest Service honestly say this spray will not injure them or contaminate the eggs we sell? Has the Forest Service even considered what impacts its spraying will have on animals and other non-target species?

It certainly doesn't appear so. Btk is deadly to the instars of all butterflies and moths at several stages of development, and the Forest Service letter nowhere addresses the widespread impact its aerial applications of Btk products will have on all lepidoptera species in the area. The Forest Service must assess and disclose what endangered lepidoptera or other insect species in the area may be affected. The Forest Service must also fully explore the economic and ecological impacts of Btk killing populations of beneficial insects important to the area as pollinators and/or weed controls. The December 10 letter gives no indication whatsoever that the Forest Service has done so, and its failure raises serious questions about the agency's haste to implement the project.

The issue of beneficial insects is particularly sensitive in Five Rivers, where the cinnabar moth was introduced in 1976 to control tansy ragwort. Until that time, tansy ragwort, a non-native, toxic weed deadly to livestock and wildlife, had spread rampant over clearcuts, roadsides, pastures, and every patch of clear ground throughout the area, growing so densely it choked out all else. In 1976, the USDA Extension Service obtained several thousand cinnabar moth larvae for release in the valley; it was four or five years before they had a noticeable effect, but that effect was dramatic indeed: suddenly, every tansy plant in the area was covered with cinnabar caterpillars, which ate the plants to bare stalks every spring, and summer brought huge clouds of cinnabar moths everywhere. Within a few years, tansy ragwort had all but disappeared from the landscape, and so had most of the cinnabar moths. Since the early 1980s, a delicate balance has been achieved, with a surge in tansy ragwort plants one year followed by surges in cinnabar moth populations the following two years.

Because cinnabar moth caterpillars develop at roughly the same time and rate as gypsy moth larvae, they would inevitably be

killed by Btk applications during that susceptible period. It is therefore imperative that the Forest Service examine the ecological and economic impacts of killing the only effective control of tansy ragwort over more than a square mile of mostly private lands that include pastures, hay fields, and orchards where tansy ragwort was formerly a severe and often fatal problem. What would be the economic impact of a tansy ragwort explosion and resultant loss of both livestock and of marketable hay? How many years will it take to re-establish the cinnabar moth population to effective levels? These are vital questions to those of us who raise livestock and grow hay both as feed and to sell; the Forest Service must address these questions in proposing to spray so large an area of private land when the gypsy moth "infestation" is limited to only one small parcel.

5. The December 10, 2002 letter does not mention impacts on water quality

In addition to the questions of bacteriological and chemical contamination, our surface domestic water supplies as well as our creeks and streams are especially vulnerable to the large numbers of butterfly and moth larvae likely to be killed by the Forest Service applications. Speaking from first-hand experience with how even the small body of a single dead mouse or newt can befoul an entire water system, I do not think the prospect of hundreds or even thousands of caterpillar corpses decomposing in our household spring and the watercourses that feed it is a negligible concern. The Forest Service must consider what pathogens may develop in the decomposing bodies of a broad spectrum of caterpillar species ending up in our domestic water supplies and creeks, and what effects such pathogens could have on the health of our families, livestock, and fish.

6. The Forest Service has failed to consider any alternatives other than the plan presented in the December 10, 2002 notice

The December 10 notice letter nowhere discusses the possibility of any options other than blanket aerial spraying of more than 700 acres to control an "infestation" consisting of three gypsy moths and several egg masses found on a single vehicle and the yard immediately adjacent to it. The total failure of the Forest Service to consider any alternatives other than massive aerial spraying to control such a miniscule, limited "infestation" makes mockery of the public comment process by implying that no other options are available.

The December 10 presentation of the project as a "done deal" with no alternatives raises valid questions about the need for the program and the motives behind it. For example, if such a limited infestation could be cheaply controlled by hand-spraying of the yard and buildings where the egg masses occurred, why is the Forest Service spending hundreds of dollars per minute to aeri-ally spray more than a square mile area? How would the costs

of manual spraying of a single yard compare to the costs of this project? Could it be that the bureaucracy has funding that will not be renewed if it isn't spent? Is this yet another example of profligate waste of our tax money, akin to the Pentagon's 600-dollar toilet seat and 400-dollar hammer?

These are valid questions. In its failure to consider alternatives to this plan, the Forest Service denies the public any opportunity to evaluate and compare the costs, effectiveness, and impacts of its proposal to the costs, effectiveness, and impacts of other options.

In summary, the Forest Service has failed utterly to present enough information for the public, or anyone else, to meaningfully evaluate and comment upon either the need for this project or the costs, effectiveness, and impacts of this project compared to alternative actions. The December 10, 2002 notice letter appears therefore to be no more than a hastily drawn sham to meet public notice and comment requirements for a decision already made. As such, the letter is a blatant insult to anyone with valid comments, as well as to taxpayers who will unwittingly fund this wasteful, overblown response to a tiny, easily controlled problem. I strongly suggest that the Forest Service take an honest hard look at the need for this project, fully examine other alternatives, and present the public with valid information upon which to comment, before plunging blindly ahead with what appears to be an ill-conceived project in total disregard for its consequences.

The Forest Service needs, perhaps, to be reminded that the people of Five Rivers have been grossly betrayed and seriously damaged by the agency's actions in the recent past. The Forest Service's arrogant refusal to determine the effects of its dioxin-contaminated herbicides on human health or to examine alternatives to their use led to our landmark *CATS v. Berglund* court decision and ultimately to the EPA emergency suspension and final cancellation orders permanently banning production and use of the same chemicals. Throughout those years of litigation, the Forest Service adamantly maintained that their herbicides were absolutely safe and that the forests would die without them. The Forest Service's promotion of its current project echoes too eerily the lies of yesteryear, and I strongly urge the agency not to make the same mistakes again.

Sincerely,

Carol Van Strum