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The invasive plant purple loosestrife is the subject of an eradication project on the Eel River in Southern Humboldt. The group Californians for Alternatives to Toxics filed suit Friday, citing lack of public review. Submitted photo/Forestry Images

Imazapyr — coming soon to a river near you

by Steve Spain, The Eureka Reporter, 9/14/2007

The watchdog group Californians for Alternatives to Toxics filed a suit Friday concerning the Purple Loosestrife Eradication Project on the Eel River. The suit alleges that county and state officials did not allow for adequate public input on the program or proper review under the California Environmental Quality Act.

The California Department of Parks and Recreation and the county Agriculture Department both filed notices of exemption on Aug. 13 for the use of the herbicide imazapyr on the project.

In its notice, Parks and Recreation states the reason for the exemption is that the project “consists

of minor public or private alterations in the condition of land, water and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes.”

The lawsuit alleges that the CEQA exemption is not valid.

Patty Clary, a spokesperson for the environmental organization, said, “We don’t like to file lawsuits, but we end up getting forced to do it.”

Clary said only two meetings were held about the eradication program, and neither allowed public input.

She said it was obvious the decision had already been made to go ahead with spraying and the Parks and Recreation Department held the meetings as a way to convince local environmental groups to go along with it.

Democracy means public participation, she said, but “we feel that we’ve been dictated to during this process.”

Nadananda at the Friends of the Eel River office in Garberville said her group was also irate with the state over the issue.

She said, “My concern as a grandmother is we have children playing in the river, and what kind of notice is given to them not to play where they’ve sprayed?”

Imazapyr, also known as Habitat, was approved by the state Department of Food and Agriculture for water-based application last year.

Purple loosestrife, *Lythrum salicaria*, is an invasive weed from Europe and Asia. It grows in wetland areas and can produce as many as 2.7 million seeds every season. It also grows from cuttings.

Loosestrife, a problem across the nation, has been found in 200 sites along 25 miles of the Eel River in Southern Humboldt, according to the Parks and Recreation Department.

The state’s eradication plan calls for up to 10 years of herbicide use on the river.

Jay Harris, an environmental scientist with Parks and Recreation, said the herbicide application has been done for the year. He said his agency did consider the use of biological controls in place of chemical sprays, but decided against them under the advice of the state Department of Food and Agriculture.

He declined to comment further. Officials at the Department of Food and Agriculture refused to comment on the matter.

Clary is skeptical whether spraying will work. She said in several closely observed sites, the use of herbicide actually accelerated the spread of purple loosestrife.

She’s also concerned about effects the herbicide may have on beach layia, *Layia carnosa*, an endangered plant found in the Eel River watershed.

Regardless, in a civil lawsuit the burden of proof is on the plaintiff. So it will be up to her group’s attorney, Sharon Dugan, to prove whether a CEQA review was needed.

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