



Notice of Intent and Pest Control Recommendation Requirements

A written notice of intent (NOI) and recommendation shall be in the possession of the Agricultural Commissioner's Office at least 24 hours prior to the start of any application of restricted materials unless a specific waiver is granted by the Commissioner or if fumigants are being applied (see 'Fumigants'). The date and hour of the intended start time shall be on the NOI, must reflect at least 24 hours from when the NOI is received by this office, and the application shall not begin before the 24 hour period has elapsed. The NOI will be valid until 11:59 p.m. on the fourth calendar day following the proposed date of application.

The Recommendation/NOI shall indicate that warning signs are required to be posted around the intended treatment area whenever required by the recommended pesticide product labeling or whenever the recommended application will result in a Restricted Entry Interval greater than 48 hours.

Protection of Waterways

No pesticides included on the permit shall be applied to any field during irrigation where run-off is likely to occur.

Maps and Mitigation Measures

Each application site shall be identified on a clear and legible map. Sensitive sites (3CCR§6428) and all areas where health, environment, or property may be adversely impacted by a pesticide application shall be clearly identified on the map, including the distances from the treatment site to the impacted areas.

Site-specific map conditions shall be clearly indicated on the map. Permittee and applicator are responsible for complying with all conditions. The written recommendation must not conflict with any conditions.

Aerial applications to fields adjacent to inhabited properties or sensitive environmental areas shall utilize a buffer zone of at least 100 feet to prevent adverse impact to these areas. The written recommendation shall include a statement or map identifying areas where the 100-foot buffer zone extends into any portion of the area to be treated.

When pesticide product labeling requires warning signs to be posted for worker notification, the operator of the property shall post signs around the intended treatment area prior to the start of the application. If a pest control business is performing the application, the application shall not begin until warning signs have been posted around the intended treatment area.

Residential Area: Three or more contiguous and inhabited properties.

Applications Near Schools or Daycares

- **No aerial applications within 1/4 mile** of school or daycare grounds within 12 hours of when the school or daycare will be in session.
- **No aerial applications within 1 mile** of school or daycare grounds when the school or daycare is in session or when school or daycare grounds are occupied.
- **No ground applications within 1/2 mile** of school or daycare grounds when the school or daycare is in session or when school or daycare grounds are occupied.

Protection of Bees

Pesticides whose labeling includes a statement that it is toxic to bees shall not be applied to fields that have bloom, including weed bloom, at any time when bees are visiting the treatment area. Applications of pesticides toxic to bees may be approved based on one of the following conditions:

1. The Recommendation/NOI states that there is no bloom at the treatment site.



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2. The Recommendation/NOI states that the application shall start no earlier than 1 hour after sunset and finish no later than 2 hours before sunrise.
3. The licensed Pest Control Advisor establishes on the Recommendation that “Bees are not visiting the treatment area at the time of the application.” (This statement is not required on applications to corn fields which will be completed no later than 2 hours after sunrise.)
4. The Recommendation/NOI establishes that there are no registered beekeepers requesting notification within 2 miles of the application site.

In all cases, the more restrictive conditions or specific label requirements for bloom or bee protection must be complied with.

Phenoxy Herbicide Restrictions

Phenoxy herbicides, including 2,4-D; 2,4-DB; DMA salt of Dicamba (Banvel); and DGA salt of Dicamba (Clarity), shall not be applied except under the following conditions or by special job permit granted by the Commissioner:

- A statement establishing the following shall be included on the Recommendation/NOI:
 - No applications of **2,4-D** shall be performed when there are peppers, tomatoes, or cotton within 1 mile or cucurbits within 1/2 mile of the application site, which are in a susceptible stage of growth.
 - No applications of **2,4-DB** or **DMA salt of Dicamba** (Banvel) shall be performed when there are peppers, tomatoes, cotton, or cucurbits within 1/2 mile of the application site, which are in a susceptible stage of growth.
 - No applications of **DGA salt of Dicamba** (Clarity) shall be performed when there are peppers, tomatoes, cotton, or cucurbits within 1/4 mile of the application site, which are in a susceptible stage of growth.
- All crops which are susceptible to the phenoxy herbicide being applied within 500 feet of the treatment area, shall be clearly identified by common name on the Recommendation/NOI.
- No aerial applications of phenoxy herbicides shall be performed between March 15 and September 30.

Fumigants

Each fumigant requires a complete, site-specific Fumigant Management Plan (FMP) as specified by the product labeling be submitted to and approved by the Commissioner each permit year for each application site. The FMP shall include a map detailing the application site, all applicable buffer zones, any sensitive areas, etc.

The first fumigant application at each site, each permit year, requires the Recommendation/NOI be submitted to the Commissioner at least 1 week prior to the intended application time. Subsequent NOI/Recommendations for the same fumigant at the same site shall be submitted at least 72 hours prior to the intended application time.

Chlorpyrifos – (Lorsban, Govern, Stallion, Vulcan, Warhawk, etc.)

- Production of an agricultural commodity using pesticides containing the a.i. chlorpyrifos must minimize bystander exposure, offsite movement, and runoff after application.
- Minimum setback distances for application adjacent to sensitive sites defined by the label:

<u>Application Method</u>	<u>Minimum Setback Distance (feet)</u>	
Ground Boom & Chemigation	25	
Airblast	50*	(*Dormant application comply with 3CCR §6960)
Aerial (fixed wing or rotary)	150	



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- Setback distances extend in all directions from the edge of the sensitive site to the edge of the treatment area during the time of application. Do not apply if anyone is in the setback area. Exception: Handlers, and vehicles and persons riding bicycles passing through the setback area on public or private roadways are permitted.
- Perform all applications with wind speeds between 3 and 10 mph measured at a height of 4 feet above ground.
- Airblast applications:
 - a) Spray the outside crop row from outside in, directing the spray into the treatment area and shutting off nozzles on the side of the sprayer away from the treatment area.
 - b) Shut off nozzles when treating smaller trees, vines, or bushes to minimize spray above the canopy.
- Incorporate/clean up granules that are spilled during loading or that are on the soil surface in turn areas.

I have received a copy of these requirements and understand that the California Food and Agricultural Code establishes that violations of pesticide use requirements are subject to civil penalties up to \$5,000 per violation.