SIMONE HARDY
Agricultural Commissioner /
Sealer of Weights and Measures

www.solanocounty.com

COUNTY AGRICULTURAL COMMISSIONER / SEALER OF WEIGHTS AND MEASURES

SOLANO COUNTY

OFFICE LOCATION:
2543 Cordelia Road
Fairfield, CA 94534

MAILING ADDRESS:
675 Texas Street
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Phone (707) 784-1310
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TO: ALL USERS OF AVITROL FOR BIRD CONTROL

SUBJECT: CONDITIONS FOR USE OF AVITROL IN SOLANO COUNTY

In an attempt to avert the inquiries and complaints that frequently follow the use of Avitrol, the Solano County Agricultural Commissioner is placing the following conditions on its use for structural pest control in populated areas:

1. Notify the Solano County Agricultural Commissioner at least 24 hours prior to first putting out Avitrol treated baits at a new site.

2. To assure acceptance by the target species, carefully observe the birds' habits and then prebait with untreated grain of the same type as the Avitrol bait for about two weeks or until the prebait is readily eaten.

3. Assure, through observation, that no desirable or protected species are among the target birds feeding at the bait stations. Note during prebaiting which stations are frequented by any non-target species and refill those stations with untreated grain only in order to keep the birds away from the treated bait.

4. Use a sufficient number of bait stations of adequate size to ensure that most of the problem birds can feed at one time. Use of trays will facilitate removal and changing of baits. Trays two feet by two feet are suggested for pigeons. Once good feeding is established, a ration of treated to untreated should be chosen to give the desired mortality or to minimize mortality.

5. Bait should be placed early in the morning and replaced with untreated baits after the morning feeding. In sensitive locations or high traffic areas, treated baits should be put out on weekends or holidays and the location should be monitored by a technician during feeding and as long as necessary to clean up dead and dying birds.

6. Inspect the premises each morning during the baiting program and dispose of dead or dying birds as quickly as possible. If good feeding has been established during prebaiting the blend of treated bait and untreated grain can be replaced with untreated prebait after one or two days, and the prebaiting and baiting cycle repeated until the desired level of population reduction is obtained.

7. If unconsumed bait remains after the bird population is reduced to acceptable levels, remove and dispose of it legally or replace it into a properly labeled and sealed contained, which indicates the blend ration used, and store it properly for use at a later time.

ATTACHMENT A:

GENERAL GOOD MANAGEMENT PRACTICES AND USE RECOMMENDATIONS FOR VERTEBRATE TOXICANTS/FUMIGANTS

In order to minimize the risk of primary or secondary exposure of non-target species, particularly threatened or endangered species, it is important to implement the following basic practices with any rodenticide use:

Carcass Survey And Disposal

Carcass surveys and carcass disposal shall be performed in the treatment area beginning on the third day following initial exposure of toxic baits. Any exposed carcasses shall be disposed of (e.g., completely buried) in a manner inaccessible to wildlife. Carcass surveys shall continue for at least 5 days after toxic baiting has ceased and thereafter until no more carcasses are found. Carcasses should be handled with care to avoid contact with parasites such as fleas. Carcass surveys are intended to be incorporated as part of any pest control program which employs a toxicant where residual in the carcass may pose a risk of secondary exposure to non-target species. These would include such materials as Avitrol, Strychnine, and the anticoagulants (Chlorophacinone, Diphacinone). Zinc Phosphide, at this time is not considered to pose a risk of secondary exposure.

Swainson's Hawk:

Based on the food habits of this species, the Swainson's Hawk appears to be at risk from secondary exposure to either Avitrol or the anticoagulants (chlorophacinone, diphacinone). A review of the scientific literature has revealed several instances of secondary exposure of raptors to anticoagulants.

RECOMMENDED USE RESTRICTIONS:

Avitrol: Because Swainson's Hawks might prey on convulsing birds, do not use Avitrol adjacent to hawk nesting sites or in areas know to be frequented by this species.

American Peregrine Falcon:

Based on the food habits of this species, the peregrine falcon appears to be at risk from secondary exposure to Avitrol

RECOMMENDED USE RESTRICTIONS:

Avitrol: Because the American peregrine falcon might prey on pigeons which have consumed Avitrol treated grain, do not use Avitrol as part of a control program within 1 mile of a peregrine nesting site.

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CONDITIONS COVERING USE OF MATERIALS TOXIC TO HONEYBEES ON CROPS DURING THE BLOOM PERIOD

No pesticide (specified as those that include the words "toxic to bees" on the labeling of the pesticide) shall be applied to **sites containing** a blossoming plant***** in which bees are working except under the following conditions:

I. No pesticide shall be applied if apiaries (beehives) are within the area to be treated or there is a possibility of drift onto them.

II. The person performing the pest control shall inquire of the agricultural commissioner if any beekeepers have submitted written request for a notice of pesticide applications within one (1) mile of their apiary locations.

III. If informed by the commissioner that an apiary is located within one (1) mile of the intended site of pesticide application, the person intending to perform the pest control shall give the beekeeper advance notice of the application, allowing the beekeeper 48 hours to cover or move the apiaries. (This time can be reduced if agreeable between the person performing the pest control and the beekeeper).

IV. If the beekeeper does not choose to cover or move the apiary, the applicator may proceed with the application, providing the beekeeper understands the risk he or she is assuming. The applicator may require a written agreement from the beekeeper documenting that the beekeeper was notified about the application and chose to assume the risk.

* Blossoming plants include crops, cover crops, and uncultivated plants (yellow star thistle, mustard, etc.) that are blooming within or in close proximity to the area to be treated.

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Revised 10/2017

Appendix H

Aluminum and Magnesium Phosphide for Burrowing Rodent Control Recommended Permit Conditions

Background

In April 2010, the U.S. Environmental Protection Agency (U.S. EPA) requested that aluminum and magnesium phosphide products for burrowing rodent control be labeled with additional restrictions to protect human health. This included prohibiting use around residential areas and increasing the distance from 15 feet to 100 feet from the application to a building that is, or may be occupied by, humans and/or animals, especially residences. Subsequently, in March 2012, U.S. EPA allowed registrants to amend label and labeling (Applicator's Manual), reinstating outdoor use around residential and other properties, but prohibited use within 100 feet of any building where humans and/or domestic animals do or may reside.

Recommended permit conditions

Because there still may be aluminum and magnesium phosphide products with older labeling lacking the U.S EPA restrictions in the channels of trade, the following permit restrictions are recommended to ensure that the more restrictive use requirements are applied to all aluminum or magnesium phosphide products for burrowing rodent control.

1. Aluminum and magnesium phosphide must only be used out-of-doors for control of burrowing pests on agricultural areas, orchards, non-crop areas, pastures, rangeland, golf courses, athletic fields, airports, cemeteries, rights-of-ways, earthen dams, parks and recreational areas, other non-residential institutional or industrial sites and on residential or other commercial properties.

2. Use of aluminum and magnesium phosphide is prohibited within 100 feet of any building where humans and/or domestic animals do or may reside on single and/or multi-family residential properties and nursing homes, schools (except athletic fields [application is allowed less than 100 feet to an occupied structure]), daycare facilities, hospitals and other commercial buildings that are regularly occupied.

Continued on next page

Aluminum and Magnesium Phosphide for Burrowing Rodent Control Recommended Permit Conditions, Continued

Recommended permit conditions (continued)

3. Prior to use of aluminum and magnesium phosphide products in athletic fields or parks, the applicator shall post a sign at entrances to the site containing the signal word DANGER/ PELIGRO, skull and crossbones, the words: DO NOT ENTER/NO ENTRE, FIELD NOT FOR USE, the name and EPA registration number of the fumigant.

4. When aluminum and magnesium phosphide products are used out-of-doors on a site other than an athletic field or park, the applicator shall post a sign at the application site containing the signal word DANGER/PELIGRO, skull and crossbones, the words: DO NOT ENTER/NO ENTRE, the name and EPA registration number of the fumigant.

5. The posting signs required in 3 and 4 above must state a 24-hour emergency response number and the contact number of the certified applicator responsible for the application. Signs may be no smaller than 9 inches by 11 inches and must stand at least 18 inches high from the ground. Signs must be made of substantial material that can be expected to withstand adverse weather conditions and all information must be legible. Signs should remain posted for a minimum of 2 days after the final treatment and may be removed by the certified applicator or contracting party.

6. DO NOT TREAT ANY BURROWS THAT OPEN UNDER OR INTO OCCUPIED BUILDINGS. In addition, check for any other source through which the gas may enter into occupied buildings as a result of application to burrows. If there is any way gas can move through pipes, conduits, etc. from burrows, do not treat these burrows.

7. Prior to treating a rodent burrow, the certified applicator must provide the property operator or owner with a copy of the Fumigation Management Plan (FMP). An FMP is a written description of the steps designed to plan for a safe, legal, and effective fumigation. The certified applicator and owner of the property to be fumigated must describe the area to be treated and include all safety requirements.

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CONDITIONS COVERING USE OF CHLORPYRIFOS

These are permit conditions to minimize bystander exposure and offsite movement of chlorpyrifos during applications and reduce runoff after applications. These conditions apply to products containing chlorpyrifos labeled for the production of an agricultural commodity.

Dormant applications must comply with 3 CCR Section 6960 when application is performed through airblast method.

The setback distance extends in all directions from the edge of the sensitive site to the perimeter of the application block. A setback distance is a distance in feet that must separate sensitive sites from the application block. The perimeter of the application block is the border connecting the outermost edges of the total area treated. Setbacks are in effect only during the application and one hour after the application.

Do not apply this product 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.

If every other row of an orchard is treated, a Notice of Intent must be submitted for each treatment.

1. All applications must take place with a minimum wind speed of 3 mph and not more than 10 mph as measured at a height of 4 feet above the ground;

2. For airblast applications:

    a. Spray the two outside crop rows 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 top nozzles when treating smaller trees, vines, or bushes to minimize spray movement above the canopy.

3. For chemigation applications:

    a. The permitee or permitee's authorized representative, who is knowledgeable of the irrigation system, must be present at the treatment site during the application and must be trained as a pesticide handler.

4. Granular applications:

    a. Incorporate or clean-up granules that are spilled during loading or are visible on the soil surface in turn areas.

The amount of active ingredient determines the setback distances which are listed below.

Determine the application rate – Conversion of liquid volume to pounds of Active Ingredient per acre.

To determine the amount of A.I. per acre, the following formula can be used:

(lbs A.I./gallon indicated on the label) x (product volume converted to gallons)

Example: Lorsban Advanced

Proposed application is 2 pt/ac

Label states it contains 3.755 pounds of chlorpyrifos per gallon of product. There are 8 pints in a gallon.

Lbs A.I./acre = 3.755 lbs A.I./gallon x 2 pt/ac / 8 pts/gal = 0.939 lbs A.I./acre

Setback Distances:

Aerial applications – fixed wing or rotary for OCCUPIED Sensitive Sites

Application Rate (lbs A.I/acre)	***OCCUPIED Sensitive Site Setback Distance (Feet)***
Less than or equal to 1	250
Greater than 1 to 2.3	500

Ground applications – for OCCUPIED Sensitive Sites

Application Rate (lbs A.I./acre)	***Sprinkle Chemigation or Ground Boom Setback Distance (feet)***	***Airblast Setback Distance (feet)***
Less than or equal to 1	150	150
> 1 - 2	350	350
> 2 - 4	400	400
> 4 - 6	prohibited	500

If non-occupational bystanders will not occupy a sensitive site during the application and one hour after the application, these setback distances below can be used. However, a written vacating agreement must be provided to the Commissioner, and observation and monitoring at the setback perimeter must take place during the application and for ONE HOUR after the application.

Application Method	***UNOCCUPIED Sensitive Site Setback Distance (feet)***
Ground Boom	25
Sprinkler Chemigation	50
Airblast	50
Aerial	150

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CONDITIONS COVERING THE USE OF FUMIGANTS:

METAM-SODIUM (VAPAM, METAM CLR), METAM-POTASSIUM (K-PAM), DAZOMET (BASAMID), CHLOROPICRIN, 1,3-DICHLOROPROPENE (TELONE, INLINE, C35), METHYL BROMIDE, SODIUM TETRATHIOCARBONATE (ENZONE), SULFURYL FLUORIDE (PRO-FUME-COMMODITY USE), ALUMINUM PHOSPHIDE (COMMODITY USE)

Users shall comply with the provisions of the Food and Agricultural Code and Title 3 of the California Code of Regulations (3CCR), the product label and permit conditions. **Where requirements differ, users shall always follow the more restrictive conditions.**

Field soil fumigations within the Sacramento Metropolitan non-attainment area (including greater Dixon, Vacaville, and Rio Vista areas) between May 1 and October 31 must be in compliance with 3CCR section 6450.1.

A **fumigant application worksite plan must be received and approved at least 7 days prior to submitting the NOI** (a copy is available from the Solano County Ag Department).
A map of the field to which you will be applying which identifies adjacent crops and sensitive sites (worker housing, residences, hospitals, daycare facilities, schools or similar sites as identified by the agricultural commissioner) within 1 mile which includes distances to such structures or sites. Must be submitted at least 7 days prior to submitting the NOI.
A map indicating each block to be fumigated with date and time must be submitted at least 7 days prior to submitting the NOI.
Commodity fumigations may require an onsite visit <u>prior</u> to permit issuance.
A <u>48 hour NOI is required</u> prior to use of any commodity or field fumigant in Solano County.
DPR Suggested Permit Conditions for the fumigants being used will be provided to you at the time of permit issuance, these conditions are part of the application requirements for the fumigant and must be followed along with regulations, label requirements and county specific permit conditions as issued.

It is recommended that you plan well in advance for the application of these materials by contacting our office early in the process. It will take **<u>minimum of 7 days</u>** to review and issue the permit, this may include an on-site visit to confirm distances to occupied structures, assessment of application equipment including chemigation systems and closed systems used for material transfer, confirmation that monitoring devices have been obtained, review of the fumigation management plan, and assurance that appropriate safety training such as respirator training has been conducted for applicators prior to the application.

The continued availability of these materials is based on the safety measures that have been adopted to prevent offsite movement and worker/bystander exposure. Although more stringent than in prior years, the label changes, regulations and permit conditions provide for the continued use of these products as tools in integrated pest management systems.

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GROUND WATER PROTECTION REGULATIONS

The following applies statewide whenever certain herbicides are used:

Inside canals and ditch banks:

Use of Atrazines, Simazines, Bromacil, Diuron, Prometon, Bentazon (Basagran®), or Norflurazon is prohibited below the high water line inside unlined canals and ditches, unless the pesticide user can document that the percolation rate of the canal or ditch is 0.2 inches per hour or less OR the pesticide is applied six months before water is run in the canal or ditch.

In artificial recharge basins:

Use of Atrazines, Simazines, Bromacil, Diuron, Prometon, Bentazon (Basagran®), or Norflurazon is prohibited below the high water line unless the pesticide is applied six months or more before the basin is used to recharge ground water.

The following wellhead protection regulations apply to ALL growers:

1) The following activities are prohibited within 100 feet of a well (including domestic, municipal, agricultural, dry or drainage, monitoring, or abandoned wells):
   a) Mixing, loading, and storage of pesticides.
   b) Rinsing of spray equipment or pesticide containers.
   c) Maintenance of spray equipment that could result in spillage of pesticide residues on the soil.
   d) Application of pre-emergent herbicides

2) Wells are not subject to the requirements in (1) if they are:
   a) Sited so that runoff water from irrigation or rainfall does not move from the perimeter of the wellhead toward the wellhead and contact or collect around any part of the wellhead including the concrete pad or foundation; or
   b) Protected by a berm constructed of any material sufficient to prevent movement of surface runoff water from the perimeter of the wellhead to the wellhead.

3) Application of pre-emergent herbicides is prohibited between the berm and the wellhead.

The following permit conditions apply to uses of Atrazines, Simazines, Bromacil, Diuron, Prometon, Bentazon (Basagran®), or Norflurazon in Ground Water Protection Areas (GWPA's):

If any one of these materials will be used in a GWPA, the grower needs to utilize a management practice. There are two types of GWPA's: Runoff and Leaching. There are a variety of management practices for each type of GWPA (see list).

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GROUND WATER PROTECTION AREA PERMIT CONDITIONS

The following regulations apply to uses of Atrazine, Simazine, Bromacil, Diuron, Prometon, Bentazon (Basagran ®), or Norflurazon in Ground Water Protection Areas (GWPA's). If any one of these materials will be used in a GWPA, the grower needs to utilize a management practice.

☐ Permittee will not use Atrazine, Simazine, Bromacil, Diuron, Prometon, Bentazon (Basagran ®), or Norflurazon on any of their sites located in a Ground Water Protection Area (GWPA). Permittee will inform the Agriculture Department and obtain a permit for any of these chemicals prior to their use in a GWPA.

The following sections are GWPA's in Solano County:

- **Runoff:** 7N 1E 04; 6N 1E 19 (Dixon)
- **Leaching:** 3N 1E 07; 3N 1W 01, 11, 12, and 14; 4N 1E 07; 4N 1W 23, 24, 26, 35 and 36; 4N 2W 01, 11, 13, 14, and 24 (Montezuma Hills)

Management Practice Options:
Use of the above pesticides is prohibited unless any **one** of the following management practices is designated on the permit for each site.

- Runoff
  1. The pesticide shall be applied between April 1 and July 31; or
  2. **Disturb the soil within 7 days before application (does not apply to the area to be treated that is immediately adjacent to the crop row and that does not exceed 33 percent of the distance between crop rows); or**
  3. Incorporate the pesticide on at least 90 percent of the area treated within 48 hours after the day of application (does not apply to the area to be treated that is immediately adjacent to the crop row and that does not exceed 33 percent of the distance between crop rows). The pesticide shall be incorporated mechanically or by pressurized irrigation, using ¼ - 1 inch of water that does not cause surface water runoff; or
  4. The pesticide shall be applied as a band treatment immediately adjacent to the crop row so that not more than 33 percent of the distance between rows is treated; or
  5. Keep water onsite in a storage basin for six months following the application. The retention area on the field shall not have a percolation rate of more than 0.2 inches per hour (5 inches per 24 hours); or
  6. Keep water offsite in a storage basin under the control of the permittee, for six months following the application. The retention area on the field shall not have a percolation rate of more than 0.2 inches per hour (5 inches per 24 hours); or
  7. Channel runoff onto a fallow field for six months following application, with full consideration of any plant back restrictions.
- Leaching
  1. Do not apply any irrigation water for six months following application of the pesticide; or
  2. Irrigation water shall remain at or below the level of the treated area for six months following application of the pesticide; or
  3. Irrigate efficiently for six months following application (do not apply more than 133 percent of water required to satisfy evapotranspiration losses).

All sites where these herbicides will be used must be listed below.

PERMITTEE: _____ **PERMIT NUMBER:** _____

Site Number(s) (List all sites, the GWPA Type and the Management Practice Choice)				**GWPA Type (Check One)**		**Management Practice Choice Number**
				Runoff	**Leaching**	
☐ **Permittee will not use Atrazine, Simazine, Bromacil, Diuron, Prometon, Bentazon (Basagran ®), or Norflurazon on sites located in a Ground Water Protection Area (GWPA) unless that site is listed above. Permittee must obtain a permit from the Ag Dept for any of these chemicals prior to their use in a GWPA.**						

Permittee's Signature: _____ **Date:** _____

Issuing Biologist's Signature: _____ **Date:** _____

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NOTICE OF INTENT CONDITION

The pesticide regulatory program was certified as "EIR functionally equivalent." This meant that the State and County Agricultural Commissioners (CACs) did not have to prepare an EIR (Environmental Impact Report) (or negative declaration) on each activity, product, or permit approved. The EIR functional equivalency can be withdrawn if the Department of Pesticide Regulation and the CACs fail to carry out the program as prescribed.

Restricted materials permit and notice of intent evaluation by the commissioner is required by California Food and Agriculture Code Chapter 3. Restricted Materials (beginning with section 14001). In order to ensure sufficient time for evaluation of proposed applications on weekends, county holidays or the day following a weekend or holiday, Notice of Intents must be submitted by 12:00 noon at least one business day prior to the weekend, holiday, or day following the weekend or holiday. When a county holiday falls on a weekday other than a Monday and an application is planned for the holiday or day after the holiday the Notice of Intent must be submitted by 12:00 noon on the business day prior to the holiday.

County Holidays are listed at:
http://www.solanocounty.com/cals/county_holidays.asp

If the start of the application is delayed beyond four (4) days from the proposed Notice of Intent due to unforeseen circumstances such as equipment breakdown or unexpected weather events, the Notice of Intent must be resubmitted.

The Notice of Intent for a California Restricted Material shall include the following information (unless this information is already on the permit):
1. Permit number;
2. Name and address of permittee and applicator;
3. Location of areas to be treated and name of farm operator;
4. Crop or commodity, or if there is no crop or commodity the site to be treated (e.g. uncultivated ag, fencelines);
5. Approximate acres or other units;
6. Method of application (e.g. ground or air);
7. Pesticide(s);
8. Dilution, volume per acre or other units, and dosage;
9. Pest(s) to be controlled;
10. Date intended application is to commence; and
11. Location and identity of sensitive areas such as hospitals, schools, residential areas including labor camps, which may have changed since the permit was issued and which may be adversely impacted. A map or aerial photograph may be used for designating such locations.

The commissioner shall be notified at least 24 hours prior to the use of a pesticide requiring a permit. The notice of intent to apply a pesticide may be submitted to the commissioner by the operator of the property to be treated, by the operator's authorized representative, or by the licensed pest control operator who is to apply the pesticide. The commissioner may allow less than 24 hours' notice if he determines that because of the nature of the commodity or pest problem effective pest control cannot be attained or when 24 hours are not necessary to adequately evaluate the intended application (a waiver must be obtained in these instances).

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2. Name and address of permittee and applicator;
3. Location of areas to be treated and name of farm operator;
4. Crop or commodity, or if there is no crop or commodity the site to be treated (e.g. uncultivated ag, fencelines);
5. Approximate acres or other units;
6. Method of application (e.g. ground or air);
7. Pesticide(s);
8. Dilution, volume per acre or other units, and dosage;
9. Pest(s) to be controlled;
10. Date intended application is to commence; and
11. Location and identity of sensitive areas such as hospitals, schools, residential areas including labor camps, which may have changed since the permit was issued and which may be adversely impacted. A map or aerial photograph may be used for designating such locations.

The commissioner shall be notified at least 24 hours prior to the use of a pesticide requiring a permit. The notice of intent to apply a pesticide may be submitted to the commissioner by the operator of the property to be treated, by the operator's authorized representative, or by the licensed pest control operator who is to apply the pesticide. The commissioner may allow less than 24 hours' notice if he determines that because of the nature of the commodity or pest problem effective pest control cannot be attained or when 24 hours are not necessary to adequately evaluate the intended application (a waiver must be obtained in these instances).

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CONDITIONS COVERING AERIAL AND GROUND APPLICATIONS OF PARAQUAT (GRAMOXONE)

Aerial Applications

B1 **Jet nozzle orifices** shall not be less than 6/64 inches in diameter (D6) and shall be directed backward parallel to the airstream. Nozzles shall not be equipped with any device or mechanism which would cause a sheet, cone, fan, or similar type dispersion of the discharged material. Whirlplates are not to be used during the aerial application of Gramoxone.

B2 **No oil based spreaders or oil based additives** are to be used.

B3 **Buffer distances** will be determined by wind direction. If air movement is towards a sensitive area* at the time of the application, a buffer of at least 2 miles shall be maintained. If air movement is away from a sensitive area, the following buffers shall be maintained:

From incorporated cities or populated areas:

- One mile for application by fixed wing aircraft
- 1/2 mile for application by helicopter

From sensitive crops**, truck farms, and certified organic crops**:**

- 1/2 mile for applications by helicopter or fixed wing aircraft

During the application, the prevailing wind direction shall be 90° to 180° away from any sensitive areas within 2 miles.

* sensitive areas are those areas where damage is not acceptable whether due to health, economic, or aesthetic concerns.
** sensitive crops are those crops where damage is not acceptable. The owner of the crop shall make the decision as to whether damage is acceptable. In *no* case shall this be interpreted to mean that a commodity may be harvested when it has a residue of paraquat in excess of tolerance.

B4 **Weather conditions.** No applications may be made during inversion conditions or when wind speed is less than 2 mph, greater than 7 mph, or gusting.

B5 **Total acreage treated per day** may be limited by the Agricultural Commissioner.
Notices of Intent must be submitted during normal office hours (8:30 AM to 5:00 PM on weekdays), and the 24 hour requirement will not be waived.

B6 No less than 10 gallons of water per acre may be used as diluent.

B7 Spray material shall not be discharged at a height of more than 10 feet above the crop or target.

B8 Boom length shall not exceed 3/4 of the length of the wing on fixed wing aircraft or 6/7 of the length of the rotor on helicopters. Boom pressure shall not exceed 40 psi.

B9 The flow of liquid to nozzles shall be controlled by a positive shut-off system.

Ground Applications

B10 Applications may be made no closer than 100 feet from a sensitive area.

B11 No low volume or small droplet applications may be made within one mile of sensitive areas, including sensitive crops, truck farms, organic vegetables, or residential areas.

B12 The prevailing wind direction during the application must be away from the sensitive area.

B13 No applications may be made during inversion conditions or when wind speed is less than 2 mph, or greater than 7 mph.

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SOLANO COUNTY

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CONDITIONS COVERING THE USE OF 2,4-D, 2,4-DB, 2,4-DP, MCPA, DICAMBA, AND ALL RESTRICTED USE PHENOXY HERBICIDES IN PROXIMITY TO VINEYARDS, BEANS, TOMATOES, PEPPERS, SUGAR BEETS, OR OTHER SUSCEPTIBLE PLANTINGS

All applications of restricted herbicides must conform to sections 6460 (Drift Control) and 6464(b) (Phenoxy and Certain Other Herbicides) of the California Code of Regulations.

No herbicide in an ester formulation shall be applied, unless specifically stated on a permit issued by the Commissioner.

F1. GENERAL REQUIREMENTS

All application methods, the above listed Restricted Use Herbicides shall not be:

- applied when wind speed is over 10 mph.
- discharged at a height greater than 10 feet above the crop or target.
- applied in an ester formulation unless specifically stated on the permit. (Permits listing "2,4-D" refer to amine formulations only.)
  - No applications shall be made when the temperature at four (4) feet above the ground exceeds 90 degrees Fahrenheit or as required by the product use label whichever is the most restrictive.

F2. EQUIPMENT REQUIREMENTS

Aircraft (Fixed-Wing and Helicopters)

- Nozzle orifices shall not be smaller than 1/16" in diameter. (Equivalent to D4 or larger)

- The flow of liquid to nozzles shall be controlled by a positive shutoff system.

- Nozzle orifices shall be directed backward and parallel to the direction of flight.

- Boom pressure shall not exceed 40 psi

- Nozzles shall not be equipped with any device or mechanism which would cause a sheet, cone, fan or similar type dispersion pattern.

- Spray boom lengths shall not exceed 3/4 of the length of the wing on fixed-wing aircraft, or 6/7 of the length of the rotor on helicopters.

- Fixed-wing aircraft and helicopter applications are prohibited April 1-October 15 in the following areas of Solano County, Township and Ranges:

T2N, R2E	T5N, 2W
T2N, R3E	T5N, 3W
T3N, R2E	T4N, 3W
T3N, R3E	T4N, 2W
T4N, R2E	T3N, 3W
T4N, R3E	T3N, 2W

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T5N, R2E	
T5N, R3E	

- o A permit amendment may be requested for an application between April 1-October 15 by air in the identified areas. All applications for an amended permit must include; the reason the application is needed outside of the allowable dates, mitigations proposed by the applicator to prevent drift to susceptible crops and include a provision for monitoring by the Agricultural Commissioners staff.

- ➢ Discharge shall start after entering the target site; discharge shall be shut off before exiting the target site.

- ➢ No aerial applications shall be made when the wind velocity is less than two(2) MPH or greater than seven(7) MPH at the application site or as required by the registered label, whichever is the most restrictive. Wind measurements shall be made at four (4) feet above the crop being treated.

SMOKE COLUMN REQUIREMENTS

Between March 16 and October 15, aerial applicators must employ a smoke column or other device satisfactory to the Commissioner at the time and place of application to indicate temperature inversions and the direction and velocity of the air flow. This requirement applies in that part of Solano County lying east of the line starting at the Benicia-Martinez Bridge and proceeding north along 1-680 to 1-80, then northeast along 1-80 to 1-505, and then north along 1-505 up to the Solano-Yolo County line.

F3. GROUND RIGS

➢ Nozzle orifices shall not be smaller than 1/16" in diameter. (Equivalent to TeeJet 8006 or larger)

➢ Boom pressure shall not exceed 30 psi

➢ For low volume applications, fan nozzles with a spray angle of 80 degrees or less, and with flow rates not less than .2 gallons per minute at 15 psi may be used. (Equivalent to TeeJet 8002 LP-SS or larger)

- ➢ Applications of a pesticide spray solution by vehicle mounted or towed ground equipment shall discharge only after entering the target site; discharge shall be shut off before exiting the target site.

F4. BUFFER DISTANCE REQUIREMENTS

Applications adjacent to beans, peppers, sugar beets, tomatoes, and other susceptible plantings shall only be made when wind is distinctly away from the crops, and the following buffer distances shall be maintained:

➢ 200 feet -Aircraft

➢ 100 feet -Ground (50 feet when drop nozzles are used)

Applications near commercial grape vineyards shall only be made when wind is distinctly away from the crop and the following buffer distances shall be maintained:

➢ Non-dormant Grapes: 1/2 mile -Aircraft or Ground Rig

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- Fully Dormant Grapes: 300 feet -Aircraft
  100 feet -Ground Rig

Permittees wishing to spray within the stated buffers shall obtain written permission from the grower of the susceptible crop. The written authorization shall be submitted to the Agricultural Commissioner's office and the applicator prior to the application. Written permission does not relieve the permittee and/or applicator from compliance with the label and all applicable laws and regulations or from any liability due to crop loss or damage. Forms may be obtained from the Agricultural Commissioner's office.

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Written Permission to Apply Volatile Herbicides Near Sensitive Crops

Written permission is required for any grower that wants to apply volatile herbicides (e.g. 2,4-D, 2,4-DB, MCPA, dicamba, propanil) within the buffer distances designated by the county Agriculture Department and/or regulations near sensitive crops (e.g. cotton, grapes, pistachios, prunes). If you are willing to allow these pesticides to be sprayed within the designated buffer area, fill out this form and sign below.

I_____, give permission to _____
(Sensitive crop grower) (Permittee)

to apply the herbicide(s)_____to _____
(Pesticide(s)) (crop)

at site_____, which is within the _____mile buffer of my _____crop
(site id) (buffer) (sensitive crop)

at site_____, on approximately_____.
(site id) (Date)

I fully understand the conditions of application and the nature of the material being applied. I further understand that this written permission does not relieve the Permittee and/or Applicator from compliance with all applicable Federal and State pesticide use laws and regulations.

_____ _____
Signature Date

Original: Permittee
Copies to: Applicator & Signee

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SENSITIVE SITES CONDITION AND DISTANCE TABLE (BEST PRACTICES – OID CONDITION)

1. Only materials in the lowest toxicity category (Signal Word Caution) to humans found to be effective for the control of a given pest should be used in proximity to sensitive sites.

2. The Commissioner defines sensitive sites as areas frequented by people and environmentally sensitive areas that could suffer harm or injury. Sensitive sites include: homes, farmworker housing, or other residential buildings, schools, daycare centers, nursing homes, and hospitals. Sensitive sites also include organic operations, sensitive crops, estuaries, reservoirs, lakes, ponds, waterways, livestock, beehives, state wildlife management areas, and critical habitats of rare, endangered, or threatened species. Non-residential agricultural buildings, roads and highways are not included.

3. If endangered species are indicated on a label, check with the California Department of Pesticide Regulation's PRESCRIBE, an online endangered species database for further information. http://calpip.cdpr.ca.gov/infodocs.cfm?page=aboutprescribe

4. Highly or moderately toxic (Signal Word Danger or Warning) material should not be applied unless the minimum distance between closest operating nozzle and non-target areas are maintained as designated in the "Sensitive Sites Distance Table". The use of Caution materials (softer chemicals) and/or alternative application measures should be considered as mitigation efforts.

5. Distance should be measured from the property line when considering sensitive sites. In some instances the applicator can obtain permission from the property operator to allow the buffer to extend on to the property, but that zone must be unoccupied at the time of application.

7. Buffers shall be employed to prevent exposure to occupants in proximity to rural residential properties*. This includes residences rented or leased for occupancy by the property operator(s). Such buffers shall be measured from the edge of the area that could be reasonably used by the resident (for example the yard edge).

8. Aerial applications should not be made unless the air movement is 90 to 180 degrees away from such areas.

9. Air movement shall be away from the sensitive sites noted above at all times during an application regardless the size of the required buffer.

* Rural Residential Properties - a single home or small grouping of occupied structures located on or adjacent to agricultural farming operations.

All aircraft operations must comply with all Federal Aviation Agency Regulations, particularly 14 CFR 137.51 (operating over congested areas).

Sensitive Site Distance Table

TYPE OF PESTICIDE APPLICATION EQUIPMENT	**MINIMUM DISTANCE BETWEEN CLOSEST OPERATING NOZZLE AND THE NON-TARGET AREA**
A. Aircraft	500 ft Danger, 300 ft Warning
B. Air blast orchard sprayer	100 feet
C. High boom ground rig in open field use	100 feet
D. Ground rig applying liquid or dust formulations of pesticide no more than 12 inches above the soil	100 feet
E. Ground rig applying liquid or gas below soil (see also fumigation requirements if applicable)	100 feet (or in compliance w/ fumigation regulations, whichever is more restrictive)
F. Ground rig applying dry pesticide pellets no more than 12 inches above the soil or below the soil	5 feet

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3. If endangered species are indicated on a label, check with the California Department of Pesticide Regulation's PRESCRIBE, an online endangered species database for further information. http://calpip.cdpr.ca.gov/infodocs.cfm?page=aboutprescribe

4. Under no circumstance shall a highly or moderately toxic (Signal Word Danger or Warning) material be applied unless the minimum distance between closest operating nozzle and non-target areas are maintained as designated in the "Sensitive Sites Distance Table". The use of Caution materials (softer chemicals) and/or alternative application measures should be considered as mitigation efforts.

5. Distance should be measured from the property line when considering sensitive sites. In some instances the applicator can obtain permission from the property operator to allow the buffer to extend on to the property, but that zone must be unoccupied at the time of application.

6. In order to apply pesticides closer than the minimum distances in the sensitive sites distance table, the permittee shall obtain written consent by the occupant of the dwelling. This written permission must also be provided to the Pest Control Business performing the application prior to the start of the application (ground or aerial). A copy of the written permission shall be made available upon request by the Commissioner.

7. Buffers shall be employed to prevent exposure to occupants in proximity to rural residential properties*. This includes residences rented or leased for occupancy by the property operator(s). Such buffers shall be measured from the edge of the area that could be reasonably used by the resident (for example the yard edge).

8. Aerial applications shall not be made unless the air movement is 90 to 180 degrees away from such areas.

9. Air movement shall be away from the sensitive sites noted above at all times during an application regardless the size of the required buffer.

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Revised 10/2017

Sensitive Site Distance Table

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A. Aircraft	500 ft Danger, 300 ft Warning
B. Air blast orchard sprayer	100 feet
C. High boom ground rig in open field use	100 feet
D. Ground rig applying liquid or dust formulations of pesticide no more than 12 inches above the soil	100 feet
E. Ground rig applying liquid or gas below soil (see also fumigation requirements if applicable)	100 feet (or in compliance w/ fumigation regulations, whichever is more restrictive)
F. Ground rig applying dry pesticide pellets no more than 12 inches above the soil or below the soil	5 feet

Setback Distances for Chlorpyrifos Applications:

Aerial applications – fixed wing or rotary for OCCUPIED Sensitive Sites

Application Rate (lbs A.I/acre)	***OCCUPIED Sensitive Site Setback Distance (Feet)***
Less than or equal to 1	250
Greater than 1 to 2.3	500

Ground applications – for OCCUPIED Sensitive Sites

Application Rate (lbs A.I./acre)	***Sprinkle Chemigation or Ground Boom Setback Distance (feet)***	***Airblast Setback Distance (feet)***
Less than or equal to 1	150	150
> 1 - 2	350	350
> 2 - 4	400	400
> 4 - 6	prohibited	500

If non-occupational bystanders will not occupy a sensitive site during the application and one hour after the application, these setback distances below can be used. However, a written vacating agreement must be provided to the Commissioner, and observation and monitoring at the setback perimeter must take place during the application and for ONE HOUR after the application.

Application Method	***UNOCCUPIED Sensitive Site Setback Distance (feet)***
Ground Boom	25
Sprinkler Chemigation	50
Airblast	50
Aerial	150