

Kings County

Agricultural Commissioner/Sealer

Pesticide Permit Conditions

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Temik/Thimet

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Thiodan

Furadan

**This packet does not contain the Permit Conditions for Methyl Bromide, Chloropicrin, Metam Sodium, or Telone. Please contact our office for more information.

GENERAL CONDITIONS

Aerial Applications

No aerial applications of restricted materials are to be made within 1/4 mile of the following:

1. Any area zoned as residential where people are actually residing.
2. Occupied labor camp.
3. A school in session or due to be in session within 24 hours.
4. Any other areas designated by the agricultural commissioner.

Dust Applications

Dust applications by air shall not be applied within ½ mile of crops where there is a residue problem and not within ¼ mile for ground rig. All dusts require a restricted use permit, except the following exempted materials: Sulfur, Dipel and Copper.

Responsibilities

- 1) The permittee [grower] shall provide a copy of his restricted material permit to each of his pest control operators and pesticide dealers.
- 2) A licensed Pest Control Operator must have a written recommendation for application of any restricted material for an agricultural use.
- 3) The "Notice of Intent" shall be submitted 24 hours prior to the start of a restricted pesticide application. The NOI may be submitted by the operator of the property to be treated, by such operator's authorized representative, or by the licensed pest control business who is to apply the restricted pesticide.
- 4) If a job has not been started within four days after the intended date of application, then a new "Notice of Intent" is required.
- 5) A permit may be amended via the fax to add sites/crops and certain pesticides. An updated crop map must be submitted with the amendment. **Exception:** Methyl Bromide, Telone, and all Section 18's can only be added by personally visiting the Agricultural Commissioner's office.
- 6) All materials applied by a grower or his employees must be reported to the Agricultural Commissioner. Reports are due by the 10th day of the month following the month of application. If no applications are made, no report needs to be filed.
- 7) No pesticide application by air or ground shall be made or continue if:
 - a. There is reasonable hazard of contamination of the bodies or clothing of persons not involved in the application process; or
 - b. There is reasonable possibility of damage to non-target crops, animals or other property; or
 - c. There is reasonable possibility of contamination of non-target property, including the creation of a health hazard preventing normal use of such property.

GROUND WATER PROTECTION

In order to handle and/or store Ground Water Protection pesticides (atrazine, simazine, bromacil, diuron, prometon, bentazon, norflurazon), you must be a certified applicator.

If one of the above listed pesticides is used *inside* a Ground Water Protection Area (GWPA) under any circumstances, the material shall be listed on the operator's permit and a Notice of Intent submitted to the Agricultural Commissioner 24 hours prior to the application. A list of the GWPA's in Kings County may be obtained from the Commissioner's Office or the Department of Pesticide Regulation's website (www.cdpr.ca.gov/docs/gwp).

Inside Canals and Ditch Banks

The use of pesticides registered for agricultural, outdoor industrial use3s containing chemicals listed in CCR Section 6800(a) (atrazine, simazine, bromacil, diuron, prometon, bentazon, norflurazon) shall be prohibited below the high water line inside *all* unlined canals and ditches, unless one of the following applies:

- a) The pesticide user can document to the Agricultural Commissioner that the percolation rate of the canal or ditch is equal to or less than 0.2 inches per hour (0.002 gallons per minute per square foot); or
- b) The pesticide is applied six months before water is run in the canal or ditch.

Artificial Recharge Basins

The use of pesticides registered for agricultural, outdoor industrial, and outdoor institutional use containing chemicals listed in CCR Section 6800(a) (atrazine, simazine, bromacil, diuron, prometon, bentazone, norflurazon) shall be prohibited below the high water line inside *all* artificial recharge basins, unless the pesticide is applied six months or more before the basin is used to recharge ground water.

Runoff and Leaching Ground Water Protection Area

Except as noted for canals, ditches, and artificial recharge basins, the use of pesticides registered for agricultural, outdoor industrial, and outdoor institutional use containing chemicals listed in CCR Section 6800(a) (atrazine, simazine, bromacil, diuron, prometon, bentazone, norflurazon) in a GWPA must follow all applicable management practices as conditioned on the permit.

Wellhead Protection

- A. The following pesticide activities are prohibited within 100 feet of a well (including domestic, municipal, agricultural, dry, monitoring, or abandoned wells) unless the requirements in (B) can be met:
 - 1) Mixing, loading, and storage of pesticides.
 - 2) Rinsing of spray equipment or pesticide containers.
 - 3) Maintenance of spray equipment that could result in spillage of pesticide residues on the soil.
 - 4) Application of preemergent herbicides.
- B.
 - 1) Wells shall be 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
 - 2) Wells shall be 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.
- C. Application of preemergent herbicides shall be prohibited between the berm and the wellhead.

HERBICIDE APPLICATION RESTRICTIONS

Under authority granted to the Commissioner by Food and Agriculture Code Section 14006.6(a), the Commissioner may require a permit for non-restricted material presents an undue hazard when used under local conditions. The following conditions are permit requirements and have been developed by the agricultural industry and the Commissioner to address the unusually high number of *reports of loss* submitted by growers to the Agricultural Commissioner's Office, due to herbicide damage during the spring of 2005.

The restricted conditions contained herein shall be effective between February 1st and April 30th for herbicide applications of the materials listed below and made *within* Kings County west of 25th Avenue, from Excelsior Avenue extending south to the Kings/Kern County line. Applications made with the use of hand held equipment (i.e. backpack sprayer, hand wand equipment, etc.) are exempt from these restrictions; however, all other existing laws and regulations shall remain in effect.

Conditions apply to all of the following herbicide applications (ground or air)
In all of the Townships, Ranges and Sections Indicated:

Herbicides
 2,4-D (Weedar, Envy)*
 2,4-DB (Butyrac)*
 2,4-DP*
 Bromoxynil (Buctril)
 Carfentrazone (Shark)
 Dicamba (Banvel, Clarity)*
 Flumioxazin (Chateau)
 Glyphosate (Roundup, Glyphos, Touchdown)
 MCPA*
 Oxyfluorfen (Goal, Firepower, Farmsaver)
 Paraquat (Gramoxone)
 Propanil
 Pyraflufen (ET)

Township(s)	Range(s)	Kings County Section
18	19	4-9, 16-21, 28-33
19	19	4-9, 16-21, 28-33
20	18	All
20	19	4-9, 16-21, 28-33
21	17	All
21	18	All
21	19	4-9, 16-21, 28-33
22	16	All
22	17	All
22	18	All
22	19	4-9, 16-21, 28-33
23	16	All
23	17	All
23	18	All
23	19	4-9, 16-21, 28-33
24	16	All
24	17	All
24	18	All
24	19	4-9, 16-21, 28-33

**Phenoxy herbicides (2,4-D; 2,4-DB; 2,4-DP; Dicamba, and MCPA) may be applied up to March 1st. These materials are California Restricted Materials and may have other conditions that apply. Please contact department staff for more information.*

All Applications (ground or air):

1. The permittee shall attend an Agricultural Commissioner approved education session related to the application of herbicides.
2. The above listed herbicides must be included on the grower's Restricted Materials Permit prior to their purchase and use.
3. A notice of intent shall be submitted at least 24 hours prior to the proposed application. A written recommendation shall be submitted with the notice of intent. The recommendation shall be made by a pest control advisor or grower who has attended the herbicide application class and identify all susceptible crops located within 1 mile of the proposed treatment site.
4. All qualified applicators who apply or supervise the application of these materials must have attended the approved herbicide application classes.
5. All applications must take place during daylight hours.
6. No application may take place within an inversion.
7. All applications must take place with a minimum wind speed of 3 mph and not more than 10 mph as measured from a height of 4 feet above the ground.
8. Ground applications within ¼ mile of a susceptible crop belonging to any person other than the owner of the property being treated and *all* aerial applications shall employ a smoke column. The smoke column, vertically oriented, or other method or device satisfactory to the commissioner at the time and place of application shall indicate to the applicator any temperature inversions and the direction and velocity of air flow. Any use of smoke must be in accordance with any applicable local air pollution rules.

Additional Aircraft Application Conditions:

1. No applications of these herbicides shall be made by air between February 1st and April 30th of any calendar year unless expressly granted by the Agricultural Commissioner (Exception: Phenoxy herbicides)
2. For the duration of the application of these materials, the aerial applicator must have an individual on the ground at the site of the application who shall monitor conditions and have the ability to waive off the application in the event that conditions are unfavorable for proper application.
3. For fixed-wing aircraft, application nozzles may not span more than 67% of the wing span.
4. For rotary-winged aircraft, application nozzles may not span more than 75% of the rotor length.
5. Aircraft nozzles shall be equipped with orifices directed backward parallel to the horizontal axis of the aircraft in flight. Aircraft 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 except as otherwise provided.
6. Each individual nozzle shall be equipped with a check valve and the flow controlled by a suckback device or a boom pressure release device; or each individual nozzle shall be controlled by a positive shutoff system.
7. Spray material shall not be discharged at a height more than 10 feet above the crop or target.

COTTON DEFOLIATION

DEF (S,S,S,-tributyl phosphorotrithioate)

Folex (tributyl phosphorotrithioate)

Paraquat (Gramoxone)

DEF, Folex, and paraquat when used as cotton harvest aids, singly or in combination, shall be used only in accordance with the following restrictions:

- 1) Applications of **DEF, Folex** and **paraquat** (Gramoxone) shall not in any case be made within 1/8 mile of any school.
- 2) *Ground* applications of **paraquat** (Gramoxone) shall not be made within 1/8 mile of any school, or any area zoned as residential where people are actually residing, or other inhabited areas as designated by the Commissioner.
Aerial applications of **paraquat** (Gramoxone) shall not be made within ¼ mile of any area listed above.
- 3) Applications of **DEF** or **Folex** shall not be made within ½ mile of any area zoned as residential where people are actually residing, or other inhabited areas as designated by the commissioner. Applications of **DEF** or **Folex** shall not be made within ½ mile of any school in session or due to be in session within 24 hours.

*Other inhabited areas designated by the Commissioner include, but are not limited to, the following: 3 or more occupied houses within 2 acres, labor camps, hospitals, rest homes, businesses, recreational areas, and churches when occupied or due to be occupied within 24 hours.

- 4) A restricted materials permit and 24-hour notice of intent is required for applications of **DEF, Folex, or Paraquat** when used as cotton harvest aids. Each intended application will be considered on an individual basis.
- 5) Jet nozzles having an orifice of not less than 1/16th of an inch in diameter shall be used on aircraft with such orifices directed backward parallel to the horizontal axis of the aircraft in flight. A number 46 (or equivalent) or larger whirlplate may be used.
- 6) Aircraft nozzles shall not be equipped with any device or mechanism which would cause a sheet, fan, cone, or similar type dispersion of the discharged material.
- 7) Aircraft boom pressure shall not exceed 40 pounds per square inch.
- 8) These cotton harvest aids shall be applied by aircraft only in combination with a viscoelastic-thickening agent or other drift control agent approved as effective for such purposes by the Department.
- 9) Except for the requirements of paragraph (8), this subsection does not apply to helicopters equipped with a Microfoil (R) boom operated at air speeds below 60 miles per hour.

PHENOXY HERBICIDES

2,4-D; 2,4-DB; MCPA, WEEDAR, DICAMBA (BANVEL)

- 1) No application shall be made by air or ground after **March 1st** and before **October 16th** unless authorized by the Agricultural Commissioner, with the exception of Dicamba (Banvel)
- 2) All phenoxy herbicides shall be in the Amine form in Kings County.
- 3) All Aerial applications must employ a smoke column, vertically oriented, or other device at the time and place of application to indicate to the pilot of the aircraft, temperature inversions and the direction and velocity of air flow.
- 4) No air applications shall be made within 1/4th mile of susceptible crop, nor within 1/8th mile by ground application on property belonging to any person other than the owner of property to be treated. Susceptible crops include, but are not limited to, Sugar beets, tomatoes, grapevines, or deciduous tree fruit with evidence of bud break, and newly planted alfalfa.
- 5) All applications must take place with a minimum wind speed of 3 mph and not more than 10 mph as measured from a height of 4 feet above ground.
- 6) No applications shall be made within 2 miles of any commercial grape vineyard after bud break.
Exception: Dicamba
- 7) No application may take place within an inversion.

CARBOFURAN (FURADAN)

- 1) Furadan shall not be applied to alfalfa located within 1 mile of nesting geese, widgeon or coots or to areas where repeated feeding of these waterfowl is known to occur.
- 2) Furadan granules shall not be applied to rice until all aerial and ground application equipment has been inspected by the Agricultural Commissioner's office prior to the first application of Furadan granules for the season.
- 3) All aerial applications of Furadan granules to fields to be planted to rice shall be performed under the direction of the Agricultural Commissioner's office to insure no spillage to adjacent areas. (i.e. on-site inspection prior to issuance of permit with appropriate mitigation)
- 4) All applications of Furadan granules to the checks of the rice field shall be immediately incorporated into the soil prior to the initial flood.
- 5) Furadan granules shall not be loaded on grass or dirt airstrips adjacent to duck clubs or rice fields to be flooded for hunting. All loading shall be done in a tarped bermed area to insure recovery of spilled granules. Ground rigs shall be loaded in the checks, nor on the edge of the field or on dirt roads. All spilled materials shall be picked up immediately and placed in the application equipment.
- 6) The applicator will be held responsible for all carbofuran purchased and applied and must keep accurate records reflecting all amounts used each day.

THIODAN (ENDOSULFAN)

AERIAL APPLICATION [WHERE ALLOWED]

1. Spray material shall not be discharged at a height of more than ten feet above the crop or target. Discharge shall be shutoff whenever it is necessary to raise the equipment over obstacles such as trees or poles.
2. Do not apply endosulfan when the wind velocity exceeds 10 miles per hour (mph).
3. The flow of liquid to aircraft nozzles shall be controlled by a positive shutoff system as follows: [1] each individual nozzle shall be equipped with a check valve and the flow controlled by a suck back device or a boom pressure release device; or [2] each individual nozzle shall be equipped with a positive action valve.
4. Aircraft nozzles shall not be equipped with any device or mechanism which would cause a sheet, cone, fan, or similar type dispersion of the discharge material, except as otherwise provided.
5. Aircraft boom pressure shall not exceed 40 pounds per square inch (psi).
6. Aircraft nozzles shall be equipped with orifices directed backward parallel to the horizontal axis of the aircraft in flight.
7. Fixed wing aircraft and helicopters operating in excess of 60 mph shall be equipped with jet nozzles having an orifice of not less than 1/15th inch in diameter.
8. Helicopters operating at 60 mph or less shall be equipped as follows: [1] nozzles having an orifice not less than 1/16th inch in diameter (a number 46, or equivalent, or larger whirl plate may be used); [2] fan nozzles with a fan angle number not larger than 80 degrees and a flow rate not less than one gallon per minute at 40 psi (or equivalent); or [3] the Microfoil[R] boom (a coordinated spray system including airfoil shaped nozzles with each orifice not less than 0.013 inches in diameter).
9. The working boom length on fixed wing aircraft shall not exceed ¾ of the wing span. The working boom length on helicopters shall not exceed 6/7 of the total rotor length or ¾ of the total rotor length where the rotor length exceeds 40 feet.

***The pesticide labels for endosulfan products contain important information regarding applications to fields under irrigation, as well as buffer zones to surface waters (rivers, streams, lakes, etc.). Please read and follow these label directions!