



Date: March 22, 2019

PUP No. 738-0029-19/19

VIA EMAIL AND MAIL

Attn: Tim Ebata
British Columbia Ministry of Forests, Lands, Natural Resource Operations & Rural
Development
P.O. Box 9513 Stn. Prov. Govt.
Victoria, BC V8W 9C2

Dear Permit Holder:

In response to your application dated November 20, 2018, enclosed is Pesticide Use Permit No. **738-0029-19/19** issued under the provisions of the *Integrated Pest Management Act*. Your attention is respectfully directed to the conditions of the permit that must be complied with.

It is the responsibility of the permit holder to ensure that all activities conducted under this permit are carried out with due regard to the rights of third parties, and comply with other applicable legislation that may be in force - including, but not limited to, using pesticide only for the use described on the label and in accordance with the instructions on that label.

This decision may be appealed in accordance with Section **14** of the *Integrated Pest Management Act*. Notice of the appeal must (1) be in writing, (2) include the grounds for appeal, (3) be sent by registered mail to PO Box 9425 Stn. Prov. Govt, Victoria, BC, V8W 9V1 or personally delivered to the Chair, Environmental Appeal Board, Fourth Floor, 747 Fort Street, Victoria, British Columbia, V8W 3E9, (4) be delivered within 30 days from the date of the decision, and (5) be accompanied by a fee of \$25.00, payable to the Minister of Finance and Corporate Relations.

Administration of this permit will be carried out by staff from our regional office located at 200 – 10470 152 St, Surrey BC. If you have any questions please call me at (250) 490-8257.

Yours truly,

Andreas Wins-Purdy, P. Ag.
Integrated Pest Management Section Head
On behalf of the Administrator, *Integrated Pest Management Act*

Attachments



MINISTRY OF ENVIRONMENT & CLIMATE CHANGE STRATEGY

PESTICIDE USE PERMIT No. 738-0029-19/19

Pursuant to Section 6 of the Integrated Pest Management Act

British Columbia Minister of Forests, Lands, Natural Resource Operations & Rural Development
P.O. Box 9513 Stn. Prov. Govt.
Victoria, BC V8W 9C2

is authorized to use pesticides subject to conditions listed below. Contravention of any of these conditions is a violation of the *Integrated Pest Management Act* and may result in prosecution.

1 Authorized Pesticide Use

Pesticide use shall be for the purpose of eradicating introduced populations of the Gypsy Moth (*Lymantria dispar*) from the 62.2 hectare treatment area of municipal and private land in the Fraser Heights neighbourhood in the City of Surrey bounded by Highway 1, South Fraser Perimeter Road, 110A Ave and 155 St (centred approximately at 49.209673, -122.800794) as shown in Map 1.

- 1.1 The authorized pesticide is Foray® 48B (P.C.P. No. 24977, active ingredient: *Bacillus thuringiensis* sub species *kurstaki* strain ABTS-351) at a rate of 4 L/ha (50 BCLU/ha) per application.
- 1.2 The authorized method of application is aerial by fixed-wing aircraft.
- 1.3 A maximum of four aerial pesticide applications are permitted.
- 1.4 A maximum treatment area of 62.2 ha per application is permitted.
- 1.5 Aerial application is permitted on or over lands that are within the treatment boundaries delineated on Map 1, where permission has been granted by the land owner, the land holder, an Order In Council, or other legal instrument.

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2 Treatment Dates

2.1 The authorized pesticide use may be conducted from **10 (ten)** days after the date of publication of the permit as described in Condition 4.1 until the permit expires on December 31st, 2019.

3 Access to Permit Information

3.1 To allow inspection and copying by the public, within seven days of permit issuance, the permit holder shall post a copy of the permit with relevant maps at:

- a) the Ministry of Forests, Lands, Natural Resource Operations and Rural Development– Resource Practices Branch in Victoria,
- b) on the Ministry of Forests, Lands, Natural Resource Operations and Rural Development’s web site, and
- c) at the municipal hall for the City of Surrey.

3.2 The posted permit and maps shall remain at the locations specified in Condition 3.1 until 7 days after all pesticide spray activities under the permit have ceased.

4 Notification

4.1 Within 15 days of issuance of the permit, the permit holder shall publish a notice that complies with Condition 4.2 in at least one community newspaper circulated within the treatment area.

4.2 A notice for the purpose of Condition 4.1 shall contain the following information:

- a) the name, address and telephone number of the permit holder,
- b) the permit number,
- c) the purpose of pesticide use,
- d) the trade name, P.C.P No., and the active ingredient of the pesticide used,
- e) the method of application,
- f) a map showing the location of the treatment area and primary zone of spray drift deposition,
- g) the date of project commencement and completion,
- h) information on where copies of the permit and map of the treatment area may be examined,
- i) information on how and when telephone support lines can be accessed by the public to obtain information on the pesticide use or to discuss health-related concerns associated with the pesticide use.

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4.3 At least 7 days prior to commencement of the first pesticide application, a press release providing details of pending local pesticide use shall be sent to a minimum of one community newspaper, one locally broadcast AM radio station, one locally broadcast FM station, and one locally broadcast television station that serve the communities in and around the treatment areas.

4.4 A press release for the purpose of Condition 4.3 shall contain at least the following, or comparable, wording:

The first in a series of aerial spray operations using the pesticide product Foray 48B (active ingredient Btk) to control introduced populations of the Gypsy Moth may commence as early as April 15, 2019. A maximum of four sprays will take place at about ten day intervals until June 30, 2019. Each spray is expected to commence at sunrise and take about 60 minutes to complete on each of four spray application mornings. People who wish to minimize their exposure may remain indoors with their windows and doors closed during the spraying and for at least 30 minutes thereafter. Changes in weather conditions may cause proposed applications to be cancelled or delayed with little advance notice.

4.5 By the Thursday before each planned pesticide application, the permit holder shall provide notification of the date, estimated start time and duration of the application via email to candace@katzie.ca for distribution to members the Katzie First Nation in their weekly newsletter.

4.6 At least three days prior to the first pesticide application, the permit holder shall provide a representative of the Katzie First Nation with the agreed-upon number of notification postcards.

4.7 At least 24 hours before commencement of each pesticide application, notification (written if possible) shall be provided to the following persons (or their representatives):

- a) the Medical Health Officer for the Fraser Health Authority,
- b) the Principals of all schools within the treatment area and primary zone of spray drift deposition,
- c) the owners or managers of any licensed care facilities within the authorized spray area and primary zone of spray drift deposition,

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- d) the holders of known surface intakes for domestic and agricultural water uses, within the treatment area and primary zone of spray drift deposition,
 - e) the Mayor of the City of Surrey,
 - f) IPM Officer Chelsea Eby via email and to ipmreporting@gov.bc.ca.
- 4.8 Notification for the purpose of Condition 4.7 shall include:
- a) the date and estimated start time of pesticide application, and
 - b) estimates of how long the upcoming pesticide application will likely take to be completed.
- 4.9 Immediate notification shall be provided to the persons outlined in Condition 4.7 when a pending pesticide application has been cancelled, delayed or deferred which shall include that a pending pesticide application has been cancelled, delayed, or deferred, and when a deferred pesticide application has been rescheduled, or when the next pesticide application is likely to occur.
- 4.10 At least 48 hours before commencement of each spray application, the permit holder must place treatment notices that comply with Condition 4.11 so they are clearly visible to anyone entering the treatment area in at least the following locations:
- a) 111 Ave at 155 St
 - b) 112 Ave at 154A St
 - c) 112A Ave at 154A St
 - d) 112 Ave at 152 St (facing both the pedestrian path and the road)
 - e) 111 Ave at 153A St
 - f) 111 Ave at 154 St
 - g) at the gate at the eastern terminus of 115A Ave (115A Ave at Roxburgh Rd)
- 4.11 A treatment notice for the purpose of Condition 4.10 must:
- a) be at least 75 cm x 65 cm in size,
 - b) be constructed of water resistant material,
 - c) display, in bold, block letters, the words “NOTICE OF PESTICIDE USE”, or in place of the words “pesticide use”, the words “GYPSY MOTH AERIAL SPRAYING”,
 - d) contain a cautionary symbol, like a stop sign or a raised hand,
 - e) indicate the name of the permit holder,
 - f) indicate the permit number,
 - g) indicate the treatment date,

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- h) indicate the purpose of pesticide use,
 - i) indicate the trade name, P.C.P. No., and active ingredient of the pesticide used,
 - j) indicate the method of application,
 - k) contain precautionary advice to minimize exposure to the pesticide or its residues, including, but not limited to “to minimize contact with the pesticide, remain indoors with windows and doors closed during active spraying and for at least 30 minutes thereafter”,
 - l) contain a map showing the location of the treatment area and primary zone of spray drift deposition,
 - m) contain the date of project commencement and completion,
 - n) contain information on telephone lines and websites that can be accessed by the public to obtain spray-related information or to discuss health-related concerns associated with the pesticide use.
- 4.12 At least one hour before commencement of each pesticide application, the permit holder must ensure that treatment signs are displayed via LED variable message boards on the north and south bound lanes of, or entrances to, Highway 1 and on the east and west bound lanes of the South Fraser Perimeter Road, so that each sign is clearly visible and will inform any person approaching the area of the pesticide use.
- 4.13 At least one hour before commencement of each pesticide application, the permit holder must ensure that a treatment sign is displayed on the pedestrian lane adjacent to Highway 1 at 49.210087, -122.806528 (where a service road bisects the pedestrian lane just past the end of Dogwood RV Park) so that the sign is clearly visible and will inform any person approaching the area from the Port Mann bridge of the pesticide use.
- 4.14 The permit holder shall conduct any additional notification agreed upon during the consultation process in the manner agreed upon with the parties to be notified.
- 4.15 Prior to any pesticide use authorized by this permit, the permit holder shall provide written notification to IPM Officer Chelsea Eby via email of the name, licence number, and valid British Columbia Pesticide Applicator Certificate numbers of any contractors that will be applying the pesticides.
- 4.16 Prior to the first pesticide application, the permit holder shall submit a copy of the signed Order In Council to IPM Officer Chelsea Eby via email and to

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ipmreporting@gov.bc.ca.

- 4.17 The permit holder shall develop, maintain and implement a location-specific plan for communicating details to the public, relevant health authorities, government agencies and local government regarding the proposed and completed pesticide uses.

5 Monitoring

- 5.1 During the periods of pesticide use, the permit holder must ensure that wind speed is monitored using an appropriate anemometer within the permitted area.
- 5.2 The permit holder shall use spray monitoring devices to determine the uniformity of coverage of the spray treatment and the extent of spray drift.

6 Restrictions

- 6.1 The permit holder must comply with all applicable provisions under the *Integrated Pest Management Act*.
- 6.2 The permit holder must comply with the requirements of the label for the pesticide being applied.
- 6.3 All personnel involved in the project shall be informed of the terms and conditions of the permit and any permit amendments prior to pesticide use.
- 6.4 Application equipment and droplet size shall be selected to minimize drift while still achieving the primary treatment objective of Gypsy Moth eradication.
- 6.5 All spray equipment shall be properly calibrated prior to use.
- 6.6 All pesticide products and application equipment used shall be maintained in secure conditions that prevent tampering or the introduction of contaminants.
- 6.7 All individuals conducting aerial pesticide applications shall possess a valid BC pesticide applicator certificate in the Aerial category.
- 6.8 Aerial applications shall be conducted in the daylight morning hours and shall be completed on or before 0730 hours.

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- 6.9 At all times during aerial operations, the pilot(s) must be in continuous radio contact with ground-based personnel that are familiar with the permit and treatment area.
- 6.10 Pesticides shall not be applied in areas where wind speeds are greater than 8 km/hr.
- 6.11 Areas affected by pesticide spills that result in impacts not authorized by, or consistent with this permit, shall be cleaned-up and decontaminated immediately.

7 Record Keeping and Reporting

- 7.1 All available information on public health concerns raised and addressed through the health lines listed in Conditions 4.2 (i) and 4.11 (n) shall be documented and reported to IPM Officer Chelsea Eby via email and to ipmreporting@gov.bc.ca within 15 days of each period of pesticide use.
- 7.2 For each pesticide treatment under this permit, the permit holder must keep a record containing the following information:
- the name and address of the owner or manager of the treatment location,
 - if the use was performed as a service, the name and license number of the licensee who performed the service,
 - if the use was not performed as a service, the name and certificate number of the pesticide applicator certificate holder who used the pesticide,
 - the date and time of the pesticide use,
 - the name of the pest targeted by the use or the purpose of the pesticide use,
 - the trade name of each pesticide used and its registration number under the federal Act;
 - the method and rate of application and the total quantity used,
 - the prevailing meteorological conditions, including temperature, precipitation, and speed and direction of the wind,
 - the pesticide application flight path maps,
 - the results from spray monitoring devices.
- 7.3 The permit holder shall prepare and submit a summary report to ipmreporting@gov.bc.ca by January 31, 2020. The summary report must include:
- the name and address of the permit holder,
 - the trade name, P.C.P No., active ingredient and the quantity (in L) of pesticide used per application and the total quantity of pesticide used,
 - the area treated (in ha),
 - a description of the timing of treatments,

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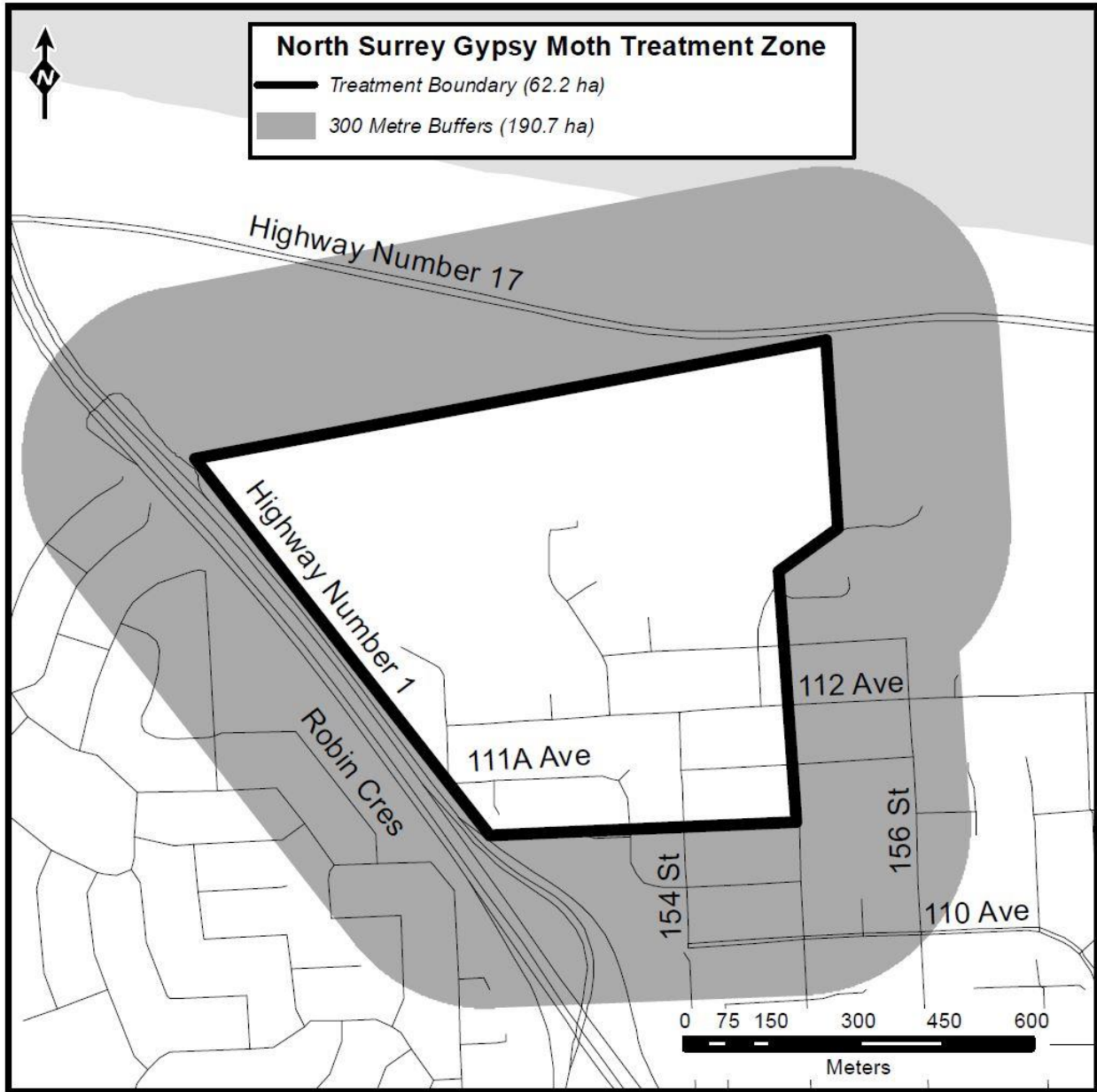


- e) a summary of information or concerns raised through the health lines in Condition 4.2 (i) and 4.12 (n) and recommended actions to address these concerns for future programs,
 - f) the pesticide treatment efficacy based on monitoring trap catches,
 - g) the results of the spray zone and drift zone monitoring required under Condition 5.2,
 - h) all pertinent maps and recommended follow-up activities for the treatment area.
- 7.4 Pesticide spills that result in impacts not authorized by or consistent with this permit shall be immediately reported to the Provincial Emergency Program at 1-800-663-3456.
- 7.5 A report on spills and activities outlined in Condition 6.11 shall be provided to the IPM Section Head (or their representative) and ipmreporting@gov.bc.ca as soon as practicable.
- 7.6 Permit non-compliance that results in impacts not consistent with the intent of this permit shall be reported to the IPM Section Head (or their representative) and ipmreporting@gov.bc.ca within 48 hours of the infraction's discovery.

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Map 1. North Surrey Gypsy Moth Treatment Area



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