

FACTSHEET

Pesticides



PESTICIDE USE IN OR NEAR WATER

Pesticide use or application in an “open body of water”; and the use, application, storage or washing of equipment within 30 horizontal metres of an “open body of water” are regulated activities in Alberta. Pesticide includes herbicides, insecticides, fungicides, rodenticides, and algaecides. An “open body of water” includes lakes, streams, rivers, irrigation canals and other natural water bodies. An "open body of water" does not include ponds or dugouts that have no outlet, are completely surrounded by private land, and are less than 4 hectares (10 acres) in area. Roadside ditches and small (less than 0.5 metres wide), dry intermittent streams are also not considered open bodies of water.

What is the Intent of Regulating Pesticide Use In and Near Water?

Regulating pesticide use near open bodies of water is intended to:

- (1) prevent excessive vegetation removal from the sensitive, natural areas within or surrounding water bodies. This vegetation is critical to the health and functioning of aquatic ecosystems.
- (2) ensure that pesticide selection and application methods in natural areas surrounding water bodies will not result in pesticides entering surface water;
- (3) ensure that pesticide storage or washing of equipment are only conducted when absolutely necessary and will not result in pesticides entering surface water; and
- (4) ensure that any pesticide use in an open body of water will not result in adverse effects on fish and other aquatic life.

Pesticide Use Within 30 Horizontal Metres of an Open Body of Water

Regulations concerning pesticide use near an open body of water apply only to undisturbed vegetation along rivers, streams and lakes. Pesticide applications to these areas must be conducted by a Registered Pesticide Service with pesticide treatments supervised by a certified pesticide applicator. Pesticide treatments must be in accordance with the Environmental Code of Practice for Pesticides published by Alberta Environment to ensure that maximum environmental loadings are not exceeded. In situations where pesticide applications must deviate from the Environmental Code of Practice for Pesticides in order to achieve effective vegetation or pest control, a request can be made for a Pesticide Special Use Approval.

Persons applying a pesticide on cultivated land (cropland, improved pasture, managed turf, and landscaped areas) must follow pesticide label directions including any setbacks specified

for open bodies of water. It is recommended that a sufficient buffer of natural vegetation be left between cultivated land and open bodies of water to ensure the viability of these areas for wildlife habitat and water protection with respect to sedimentation, nutrient release, and pesticide entry.

Pesticide Use Directly Into an Open Body of Water

Diquat herbicide may be applied by a certified applicator in accordance with the Environmental Code of Practice for Pesticides in **private man-made recreational lakes** that are: under the control of a homeowner's or resident's association; in a residential development; without any discharge from the lake beyond the property limits of the development.

All other applications of pesticide directly into an open body of water must be conducted under the authority of a Pesticide Special Use Approval. Exemptions apply for fish toxicant and vertebrate toxicant use on ice under government fish and wildlife management programs.

How to Apply for a Special Use Approval

Application forms can be obtained from any Alberta Environment Office or downloaded from the Department's Internet homepage at:

<http://www.gov.ab.ca/env/protenf/pesticide>

Once the Department has received the completed application forms they will be reviewed to ensure that all information necessary for the Director to review the proposed pesticide treatment has been provided. The applicant will then be required to give public notice.

Anyone concerned about a proposed treatment can submit a formal "Statement of Concern" to Alberta Environment for consideration in the application review. A Statement of Concern must be submitted within 30 days of the last posting of the "Notice of Application". If the Departmental assessment is favourable, a Special Use Approval will be issued.

Anyone who has filed a Statement of Concern has the right to appeal issuance of a Special Use Approval by filing a "Notice of Objection" with the Environmental Appeal Board. Any applicant for a Special Use Approval has the right to appeal a decision **not** to issue a Special Use Approval by filing a Notice of Objection with the same Environmental Appeal Board.

A Special Use Approval application will require a minimum of one month to review. In addition, it may take up to three months for processing given the time it takes for the completion of public notification, resolution of "Statements of Concern", the assessment of appropriate conditions to be assigned to the approval, and any resulting Notices of Objection. It is recommended that an application be submitted well in advance of the date that the approval is required.