



## **Pesticide Management Launches New Website**

The Pesticide Management Program has a new website on-line. The site provides program information including all application forms as well as information on provincial legislation, sales, and monitoring. The website also provides links to other related sites. We encourage everyone to use the website at: <http://www.env.gov.ab.ca/env/protenf/pesticide/>

## **Proposed Regulatory Amendments: OPPORTUNITY FOR INPUT**

Pesticide regulations under the *Alberta Environmental Protection and Enhancement Act* are currently undergoing review as part of routine maintenance to ensure that these regulations are effective and up-to-date. The last review was completed in February, 1997. Many of the changes being considered are simply “housekeeping” matters including the removal of pesticides that are no longer registered from provincial pesticide schedules, and wording changes to clarify meaning.

The following three changes involve an actual program change. Your comments and suggestions are encouraged. Written responses can be forwarded to Neil Wandler via regular or electronic mail on or before July 1, 1999:

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**1. Additional pesticide uses within 30 horizontal metres of water to be included in the “Environmental Code of Practice for Pesticides.”**

Proposed additions cover active ingredients and uses that have been addressed through “standard” conditions on Special Use Approvals. The change would allow use by a certified pesticide applicator without having to obtain a Special Use Approval. With few exceptions, the Environmental Code of Practice allows only spot treatment (10 percent of land areas) for plants designated Restricted or Noxious weeds under the *Weed Control Act*. A draft of proposed Code provisions is included with this newsletter (blue pages).

The change is being considered to maintain control of pesticide use within 30 horizontal metres of open bodies of water through one regulatory requirement rather than through the issuance of individual approvals with identical conditions. Special Use Approvals would still be required for less conservative pesticide applications that are not covered by the Environmental Code of Practice for Pesticides.

**2. Harmonization of provincial pesticide vendor registration with the Agrichemical Warehouse Standards Association (AWSA) audit program.**

Proposed revisions would require that all Alberta Registered Pesticide Vendors be audited through the Agrichemical Warehousing Standards Association (AWSA) audit system to ensure compliance with provincial regulatory requirements. Currently all Pesticide Vendors certified through the AWSA warehouse certification program (at least 80 percent of provincial vendors) are audited once every two years to be eligible for pesticide shipments from pesticide manufacturers who are members of the Crop Protection Institute (CPI). These audits are paid for by each vendor. Documentation is provided to Alberta Environmental Protection for compliance verification. The regulatory proposal would extend this requirement to remaining vendor outlets who are not currently audited through the AWSA program.

**3. Provision for the recognition of a “pesticide applicator” intermediate between a fully certified pesticide applicator and a non-certified assistant.**

The new “applicator” designation would identify applicators that have successfully demonstrated knowledge by writing an examination recognized by the Director. These applicators would be limited to working under the direction of a fully certified applicator but would be allowed more independence than a non-certified assistant.

Qualifications would be established in consultation with industry associations for each class of pesticide applicator identified in current regulations (e.g. Aerial, Agricultural, Industrial, Landscape, etc.). Should an industry association decide not to support the recognition of an intermediate applicator designation for its sector, the designation would not be available for that sector.

#### **4. Require mandatory calibration at a recognized calibration clinic for all aircraft performing aerial pesticide application within Alberta.**

This change was requested by the Alberta Aerial Applicators Association.

#### **Misrepresentation of Pesticide Applicator Credentials**

Concerns have been expressed about pesticide applicators misrepresenting themselves as crop specialists, or pest control advisors. Crop specialists and pest control advisors usually have post secondary education in agriculture with training in agronomy (crops, soils, plant fertility and nutrient requirements) and are recognized as Professional Agrologist (P. Ag.). The Alberta Institute of Agrologists (under authority of Alberta's *Agrologists Act*) is the organization that sets and administers professional standards for practicing agrologists in Alberta. Anyone who offers advice to a farmer that causes him to change farming methods must be registered as a "P. Ag." Anyone who establishes a business that offers people advice (consultation) must also carry "errors and omissions" insurance. In order to qualify for errors and omissions insurance, you must prove you have the necessary qualifications to offer such advice. Pesticide applicators have training in pesticides and pest control techniques, however they do not receive training in the agronomic sciences and therefore should not be offering advice on crop fertility, soil fertility or other farming practices. Applicators who provide advice on farming practices are open to litigation through civil court. For more information, contact the Alberta Institute of Agrologists at 780-432-0663 in Edmonton.

#### **Sub-Contracting Pesticide Application Services**

Prior to offering any pesticide application service an operator must obtain a Pesticide Service Registration. This includes operators who sub-contract their work, as well as the operation they sub-contract to do their work.

Pesticide applications are being offered by services that establish contracts with their customers and provide the service through:

- their own certified applicators under their own registered service name;
- contracted applicators under their own registered service name;
- a sub-contracted service under their own registered service name; or
- a sub-contracted service under the contracted service's registered name.

In each of these cases, Alberta Environmental Protection only considers the Pesticide Service Registration valid if there are applicators employed who are certified to provide the class of service (eg. Agricultural, Industrial, etc.) identified at the time of application for registration.

In the third case where a service, such as EZ Spray Ltd., is sub-contracting another service to provide the actual applications, EZ Spray Ltd. should ensure that their customer is clear on the terms of who is responsible for the work. If the contracted service is determined responsible for any damages by a department investigation, the department will also consider EZ Spray Ltd. responsible, particularly if the customer thought the work was performed by EZ Spray Ltd. and/or if it is reflected in the billing to the customer.

In the fourth case, it is important that the customer clearly understands that the work being offered by one registered service is actually being performed by another registered service. This applies particularly to those **agricultural** service registrants who may be offering aerial applications through a sub-contracted **aerial** registered service. Regardless of how clear liability may be reflected in a contract with the customer, both registered services may be held responsible for any damage compensation issues that arise from the application.

In addition, all operations must ensure they maintain up-to-date insurance coverage or their service registration is considered suspended.

### **Pesticide Container Collection Survey**

A survey of Alberta municipalities regarding the pesticide container collection program was recently completed as an update to the last survey completed in 1993. The response rate was 92% (65 of 71 municipalities). Highlights from the survey include:

- Eighty-eight percent of municipalities report overall satisfaction with current program.
- The majority of municipalities (71%) reported site maintenance costs of less than \$5,000 per year. Seventy-four percent of municipalities reported site maintenance of less than 25 person days per year.
- Eighty-nine percent of municipalities reported non-pesticide waste left at sites. Most common wastes were paint, cardboard, engine oil and grease containers, used oil, and solvents. The average cost for managing these wastes in most municipalities ranged from \$500 to \$2,000 per year.
- Only 12% of municipalities reported that dealers were collecting pesticide containers from farmers in their municipality. Most municipalities were supportive of dealers collecting rinsed containers from farmers, particularly where delivery to temporary sites can be diverted.

Municipalities were questioned about this issue in response to a pilot dealer collection program that was conducted by the Crop Protection Institute in Saskatchewan. Alberta Environmental Protection is supportive of voluntary dealer participation in municipal container collection programs, provided that dealer participation is supported by the municipality and contributes towards the enhancement of container collection within the municipality (i.e. higher percentage of containers recovered and/or lower collection/transportation costs).

Visit the Pesticide Management Program website

<http://www.gov.ab.ca/env/protenf/pesticide/> for a complete listing of provincial container collection sites and information regarding the program (including residue monitoring).

**REMEMBER:**

- 1. Containers are to be triple rinsed and dry prior to disposal at container collection sites to minimize site residues.**
- 2. Cardboard packaging is to be removed from plastic containers prior to disposal at container collection sites. Clean cardboard can be disposed of through recycling programs. Other cardboard can be disposed of at municipal landfill sites.**
- 3. Wastes other than pesticide containers are not to be left at container collection sites.**

### **Riparian Discussion Document**

A resolution passed at the Provincial Agricultural Service Board Conference on January 28<sup>th</sup> identified the need for federal/provincial discussions concerning pesticide use and the protection of water bodies. The resolution came as the result of a change to the federal Escort herbicide label prior to the 1998 pesticide application season.

Before approaching Health Canada's Pest Management Regulatory Agency (PMRA) with provincial concerns, key stakeholders had been contacted to ensure that federal-provincial dialogue regarding surface water protection reflects broad-based interests and issues concerning pesticide use near open bodies of water. A draft discussion document was prepared to:

- ensure awareness of current federal and provincial regulatory responsibilities near water;
- ensure awareness of the need for information regarding pesticide residue tolerances in aquatic environments;
- assess support for the continued use of herbicides within riparian areas to preserve and enhance these ecosystems; and
- assess Alberta Environmental Protection's continued role in establishing provisions for site-specific pesticide applications in or within 30 horizontal metres of open bodies of water.

This document will be revised based on information provided by reviewers. The information provided will also be used to review and update provincial regulatory provisions regarding surface water protection.

## **ESCORT LABEL UPDATE**

**The 1999 Escort Herbicide label has been revised to allow its use within 15 metres of open bodies of water in accordance with the Alberta Environmental Code of Practice for Pesticides.**

### **Remedial Rooftop Treatments Using PQ-57**

Untreated pine roof shakes were allowed for use in Alberta during the early 1990s under the Provincial Building Code. The Building Code has now been changed (pine shakes must be pressure-treated with copper chromated arsonate-CCA). Untreated pine shakes are susceptible to a naturally occurring airborne fungus that attacks wood, causing rot to develop. In 1998, the general wood preservative PQ-57 (active ingredient copper-8-quinolinolate) was sprayed on some roofs as a means of delaying full shake replacement. Information was unavailable in 1998 regarding the efficacy of PQ-57 as a remedial treatment for pine roofs. The product's main use is as an anti-sapstain preservative for freshly treated wood and as a wood preservative in greenhouse structures. It was used on pine roofs because of the known fungicidal properties of copper-8-quinolinolate and its relative safety. ISK Biosciences (the product manufacturer) sponsored research by Forintek Canada to collect data on coverage, penetration, and leaching. Results of Forintek's assessment indicate that coverage and penetration is not adequate to provide significant preservative benefits. The assessment also indicated higher than anticipated leaching of PQ-57. Pesticide application services are advised against the use of PQ-57 for remedial roof treatment in light of this new information. A fact sheet is available on the Alberta Labour web-site at: <http://www.gov.ab.ca/lab/facts/safety/psfacts2.html>. For further information contact Neil Wandler (780) 427-0054 (Neil.Wandler@gov.ab.ca).

### **Federal/Provincial/Territorial (F/P/T) Committee on Pest Management**

The F/P/T Committee consists of regulatory officials from the federal and provincial/territorial governments. The F/P/T provides a mechanism for information exchange among provinces and the federal Pest Management Regulatory Agency (PMRA), but its major impact is through working groups established to accomplish specific tasks. Working groups are comprised of F/P/T members, industry representatives, and other stakeholders as required to meet objectives. The four working groups operating currently through the F/P/T are:

1. The National Database Working Group (to develop a national pesticide sales data collection system primarily through pesticide registrations).
2. The National Classification Working Group (to develop criteria for a federal pesticide classification system that could be adopted by provinces to replace provincial classification systems).
3. The Post-Registration Monitoring Working Group (to provide an exchange mechanism for pesticide incident and monitoring data).

4. The National Training and Certification Working Group (to establish national minimum standards for pesticide applicator certification programs across Canada).

The F/P/T, in conjunction with the federal Pest Management Regulatory Agency (PMRA) introduced a new website to inform pesticide users of national pesticide initiatives.

<http://www.hc-sc.gc.ca/pmra-arla/fpthome1.html>

## **Pesticide Enforcement Responses**

The following are pesticide-related incidents that culminated in prosecution or administrative penalties in 1998.

### ***Prosecutions***

The illegal use and application of pesticides resulted in a fine of \$7500 and a 45 day jail sentence for an ultralight operator subsequent to a conviction under the *Alberta Environmental Protection and Enhancement Act*. The operator was found guilty of applying pesticides without a pesticide applicator certificate, of using a pesticide improperly, and of violating an Alberta Environmental Protection Enforcement Order. The charges stemmed from incidents in 1995 and 1996. The 1995 incident involved the violation of a department Enforcement Order by applying a pesticide by an ultralight aircraft without a pesticide applicator certificate or a service registration. The 1996 incident also involved the aerial application of pesticides without appropriate qualifications and the use of a pesticide not registered for aerial application. The operator is appealing his sentence.

A registered aerial application service was sentenced to a total penalty of \$30,000 after pleading guilty to charges of unlawful use or application of a pesticide under the *Environmental Protection and Enhancement Act*. The service pled guilty to five charges of applying the pesticide ROUNDUP Liquid Herbicide contrary to the regulations and label specifications for that pesticide. The charges stemmed from complaints of crop damage to neighbouring farms, and a resulting investigation found that the service had conducted aerial applications of ROUNDUP in contravention of the *Act* on five occasions in May and June of 1997. ROUNDUP had a temporary aerial registration for pre-harvest applications. It is not registered for spring application.

### ***Administrative Penalties***

- An employee of a registered service applied TORDON 101 HERBICIDE within 30 metres of five separate open bodies of water. The penalty for violation of Section 5 of the Pesticide Sales, Handling, Use and Application Regulation was \$6,000.
- A registered service was responsible for ROUNDUP LIQUID HERBICIDE drift which resulted in an adverse effect to an adjacent field. The penalty for violation of Section 5 of the Pesticide Sales, Handling, Use and Application Regulation was \$750.

- A non-certified applicator employed by a registered service applied TORDON 22K HERBICIDE without supervision and in a manner contrary to the label which resulted in an adverse effect. The penalty for violation of Sections 5 and 16(a) of the Pesticide Sales, Handling, Use and Application Regulation was \$3,750.
- A registered service mixed and applied the pesticides LIBERTY and FUSION contrary to label directions prohibiting this mix. The violation was discovered subsequent to an adverse effect on neighbouring shelterbelts. The penalty for violation of Section 156 of the *Environmental Protection and Enhancement Act* and Section 5 of the Pesticide Sales, Handling, Use and Application Regulation was \$3,500.
- A registered service applied the insecticide LORSBAN 4E INSECTICIDE in a manner that exposed bystanders to drift. The penalty for violation of Section 156 of the *Environmental Protection and Enhancement Act* was \$4,000.

### **Signal-Sending Plants Identify Their Attackers**

Some corn, cotton and tobacco plants, when under attack by caterpillars, will release chemical SOS signals to recruit help from friendly parasitic wasps. However, the wasps may not answer unless the caterpillar in question is a species they prefer. To avoid "no-shows", scientists recently found plants customize their signals, advertising their attackers' identity and ensuring that the right wasp comes calling. This work, conducted by a University of Georgia graduate student, and members of the Agricultural Research Service of the USDA, refutes an earlier belief that wasp-calling plants emit an all-purpose signal, regardless of the caterpillar species. Their work aims to curb insecticide use through integrated pest management and breeding crops with stronger signalling traits. In Georgia field trials, they saw *Cardiochiles nigriceps* wasps flying to plants signalling an attack by tobacco budworms (a host these wasps prefer) more often than to plants chewed by corn earworms, a related caterpillar species. Budworm-infested plants accounted for 164 of 198 total wasp visits. The team also monitored plants after removing any leaves that caterpillars had chewed on. This ensured the wasps weren't homing in on chemical cues in their caterpillars host's saliva or in feces, rather than the plant's own signals. Indeed, the *Cardiochiles* wasps visited budworm-damaged plants 32 of 48 times. Gas chromatography revealed consistent differences in concentrations of about 12 chemical volatile compounds rising from the plants. The differences depended on which caterpillar species was attacking. An article about the research, in the *Agricultural Research* magazine, is also on the World Wide Web at:

<http://www.ars.usda.gov/is/AR/archive/oct98/sos1098.htm>

### **Corn Gluten Meal Has Promise As A Natural Herbicide**

A researcher at Iowa State University has discovered that a by-product of the corn wet-milling process (corn gluten meal) has potential as a natural pre-emergence herbicide. A United States patent on the use of corn gluten meal as a natural herbicide was issued in 1991. For more information on the herbicidal properties of corn gluten meal, check out their website at: <http://www.hort.iastate.edu/gluten/cframe.html>



### **Information/Awareness Program: Anticipated Lygus Outbreak in 1999**

The unusually hot, dry summer of 1998 resulted in unexpectedly high canola pest outbreaks. Widespread spraying of insecticides created many concerns in the agricultural community. Most of these concerns passed on to Alberta Environmental Protection could be addressed by providing information that has been collected internally and from a number of external publications over the past several years.

The Alberta Standing Committee on Pesticides (ASCP) comprised of representatives from Alberta Environmental Protection; Agriculture, Food and Rural Development; and Health have met to review public concerns and identify information requirements prior to the 1999 spray season. Representatives from the ASCP are working with the Crop Protection Institute to gather information into fact sheets or information summaries to be distributed to government offices, pesticide manufacturers, pesticide dealers, custom applicators, and producer organizations prior to insecticide spraying in 1999. In addition, news releases for the general public will be drafted to ensure awareness beyond the agricultural community. If you are an agricultural service (ground or air) or pesticide distributor, you may expect information delivered to your operation sometime in June or early July (depending on the timing of 1999 applications).

### **Environmental Service Restructures With Regional Community Service in Mind**

Alberta Environmental Protection's Environmental Service (ES) has undergone a restructuring to bring the service in-line with the department's Natural Resources Service (NRS) and Lands and Forest Service (LFS). The aim is to provide more regional based services including decision making and issuing registrations and approvals. Investigation and enforcement activities will also become a regional responsibility. Pesticide services and vendors should direct any inquiries to the appropriate regional office according to the attached map of regional boundaries.

- Northwest Boreal: Grande Prairie (780-538-5460)
- Northeast Boreal: Edmonton (780-427-7617)
- Northern East Slopes: Edson (780-723-8395)
- Parkland: Red Deer (403-340-7052)
- Bow: Calgary (403-297-7602)
- Prairie: Lethbridge (403-381-5511)

All complaints should be directed to: **1-800-222-6514**.

**ATTACHMENT**  
**CODE OF PRACTICE REVIEW DOCUMENT**  
**May 11, 1999**

**Regulation:**

- 9(1) No person shall, unless the person holds a special use approval issued by the Director,
- (a) use or apply a pesticide in or on an open body of water,
  - (b) use or apply a pesticide listed in Schedule 1,2 or 3 within a horizontal distance of 30 metres from an open body of water,
  - (c) store a pesticide within a horizontal distance of 30 metres from an open body of water, or
  - (b) wash equipment or vehicles used to apply pesticides within a horizontal distance of 30 metres from an open body of water.
- (2) Subsection 1(a) does not apply to a person using or applying a fish toxicant in accordance with a written authorization issued by the Director of Fisheries Management of the Department.
- (3) Subsection 1(a) and 1(b) do not apply to a person using or applying a vertebrate toxicant bait in, on or within 30 horizontal metres of a frozen open body of water pursuant to a Government pest control program.
- (4) Subsection 1(b) does not apply to:
- (a) an applicator using or applying pesticides in accordance with the latest edition of the Environmental Code of Practice for Pesticides published by the Department, or
  - (b) a person using or applying pesticides on cultivated land.

**Definition of an Open Body Water**

“open body of water” means the bed and shore of an irrigation canal, drainage canal, reservoir, river, stream, creek, lake, marsh or other body of water, but does not include the following:

- (i) waterworks systems;
- (ii) reservoirs, lakes, marshes or other bodies of water that are completely surrounded by private land, that have an area of less than 4 hectares and have no outflow of water beyond the private land;
- (iii) reservoirs, lakes, marshes or other bodies of water that are located on public land, that have an area of less than 0.4 hectares, and have no outflow of water;
- (iv) irrigation and drainage canals that are completely surrounded by private land and have no outflow beyond the private land;

- (v) roadside ditches;
- (vi) wastewater systems;
- (vii) storm drainage systems;
- (viii) dry streams having a bed and shore averaging 0.5 metres or less in width within the boundaries of the treatment area

#### **New Exemptions:**

- Man-made water bodies on private land that are completely surrounded by private land under the control of one owner that have no outflow of water beyond the property boundaries.
- Man-made golf course water hazards located on public or private golf courses that have no outflow of water beyond the golf course boundaries.

#### **Record Keeping Provisions**

Section 11 (1) (i) of the Pesticide (Ministerial) Regulation requires that pesticide applicator records identify:

“The location and distance of any pesticide used or applied within 30 horizontal metres of an open body of water.”

### **CODE PROVISIONS**

#### **Pesticide Application Within 30 Horizontal Metres of an Open Body of Water**

- 16 Pesticides shall be applied within 30 horizontal metres of an open body of water subject to the following unless otherwise authorized by an approval under the *Environmental Protection and Enhancement Act*.
- A. An applicator shall not apply herbicides within 30 horizontal metres of an open body of water unless the application is in accordance with a vegetation management plan that includes:
1. program objectives
  2. action levels
  3. herbicides to be used
  4. non-chemical controls to be used
  5. target vegetation types
  6. methods of application including surveillance and timing
  7. application equipment
  8. public notification

## 9. program evaluation

Note: If an inspector/investigator observes questionable application practices, the plan can be requested. Discrepancies can be reviewed in the context of IVMAA standards.
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- B. Applicators may apply the herbicides listed in Table 1 up to 1 horizontal metre from an open body of water provided that the following requirements are met except where the exemptions noted under Section 16 D apply.
1. The federal pesticide label does not stipulate a greater distance. Where a federal pesticide label indicates that the herbicide shall not be applied within a distance from water that is greater than 1 metre, the distance specified on the product label shall take precedence.
  2. Applications are conducted for:
    - (a) the control of herbaceous plants classified as "restricted" or "noxious" weeds under the *Weed Control Act*,
    - (b) the control of broadleaf weeds in turf areas
    - (c) the control of woody plants to areas where the woody plants interfere with forest regeneration or the safe operation, functioning, or maintenance of man-made structures such as dams, canals, drainage ditches, roads, industrial facilities, or utility or pipeline rights-of-way.
  3. Applications are made selectively:
    - (a) using a backpack sprayer, a pump-sprayer, a hand-gun sprayer, a quad/ATV-mounted boom or boomless sprayer or an application method that treats individual woody plants, and
    - (b) treating no more than 10 percent of the land area within any one hectare area per calendar year.
  4. Applications do not result in the deposit of herbicides into or onto any surface water.
  5. Applications are not made where there is slumping or washout.
  6. Applications are not made within 250 metres upstream of any surface water intake of a waterworks system.

Table 1

2,4-D amitrole-T chlorsulfuron clopyralid dichlorprop glyphosate MCPA mecoprop metsulfuron methyl paraquat triclopyr
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C. Herbicides not listed in Table 1 may be used as follows:

1. Dicamba may be deposited by ground application equipment up to 5 horizontal metres from an open body of water provided that all requirements under Section 16 B or exemptions under 16 D are met.
2. Imazapyr may be deposited by ground equipment up to 15 horizontal metres from an open body of water provided that all requirements under Section 16 B or exemptions under 16 D are met.

D. Herbicide Exemptions are as follows. Unless specifically exempted below, the provisions of 16 B apply.

1. Purple Loosestrife Control:
  - (a) Triclopyr and Glyphosate may be applied by backpack or hand-pump sprayer to Purple loosestrife (*Lythrum salicaria*) growing on dry land within the bed and shore of an open body of water.
2. Irrigation and Drainage Canals:
  - (a) 2,4-D, dicamba, triclopyr or glyphosate may be deposited by ground application equipment up to the bed and shore of irrigation or drainage canals provided that no herbicide is deposited in irrigation or drainage canal water.
  - (b) Applications may be made to control any undesirable vegetation along irrigation canals regardless of whether the vegetation has been classified as “restricted” or “noxious” weeds under the *Weed Control Act*.
3. Forest Regeneration Sites

- (a) Glyphosate applications may be made non-selectively by aircraft or ground equipment where glyphosate is not deposited within 5 horizontal metres from an open body of water.
    - (b) Applications may be made to control any undesirable vegetation regardless of whether the vegetation has been classified as “restricted” or “noxious” weeds under the *Weed Control Act*.
  4. Non-vegetated developed areas such as maintained trails, roads, vehicle parking lots, shoreline rip-rap, railway ballasts, and industrial sites such as flare stacks, pump sites, equipment yards, and electrical substations.
    - (a) Applications may be made non-selectively by ground application equipment provided that no herbicide is deposited within 5 horizontal metres from an open body of water.
  5. Vegetated developed areas such as roadside and railway rights of way, utility and pipeline rights of way, turf areas, and dam side-slopes.
    - (a) Applications may be made non-selectively by ground application equipment up to 5 horizontal metres from an open body of water except for applications of amitrole-T, glyphosate, or paraquat.
- E. Fungicides:
1. Fungicides, except for those fungicides containing mercury, may be deposited on golf course greens and tee boxes up to 5 horizontal metres of an open body of water.
  2. Fungicides containing mercury shall not be deposited within 30 horizontal metres of an open body of water.
  3. Fungicides shall not be deposited into or onto any open body of water.
- F. Insecticides:
1. Insecticides listed in Table 2 may be deposited up to the bed and shore of an open body of water provided:
    - (a) the federal pesticide label does not stipulate a greater distance. Where the federal pesticide label indicates that the insecticide shall not be applied within a distance from water, the distance specified on the product label shall take precedence.

- (b) the insecticide does not enter into or onto an open body of water.

*Table 2*

*Bacillus thuringiensis*,  
insecticidal soap  
insecticides applied by direct injection, banding, or basal spray to trees, or  
insecticides applied to or within buildings.

#### G. Rodenticides

1. Rodenticides may be applied up to the bed and shore of an open body of water provided:
  - (a) the federal pesticide label does not stipulate a greater distance. Where the federal pesticide label indicates that the rodenticide shall not be applied within a distance from water, the distance specified on the product label shall take precedence.
  - (b) the rodenticide does not enter into or onto an open body of water.

#### H. Aerial Application

1. Aerial applications of pesticides to land shall not be conducted while flying directly over an open body of water.