



Date: March 21, 2018

File No: 402-0673-18/18

**Via email and mail**

Attn: Tim Ebata, Forest Health Officer  
BC Ministry of Forests, Lands, Natural Resource Operations & Rural Development  
PO Box 9513, Stn. Prov. Govt.  
Victoria, BC V8W 9C2

Dear Permit Holder:

In response to your application dated November 22, 2017, pursuant to Section 6 and associated provisions of the *Integrated Pest Management Act*, enclosed is Pesticide Use Permit No. 402-0673-18/18. Your attention is respectfully directed to the requirements outlined in the permit.

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 2080-A Labieux Road, Nanaimo, BC V9T 6J9. 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. 402-0673-18/18**

*Pursuant to Section 6 of the Integrated Pest Management Act*

British Columbia Minister of Forests, Lands, Natural Resource Operations & Rural Development  
P.O. Box 9049 Stn. Prov.Govt.  
Victoria, BC V8W 9E2

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

**Purpose of the Permit**

- A. Pesticide use shall be for the purpose of eradicating introduced populations of the Gypsy Moth (*Lymantria dispar*) through aerial application of Foray 48B (active ingredient *Bacillus thuringiensis kurstaki*) from the treatment locations on 94 hectares included within the Municipality of Courtenay (centred approximately on the northern terminus of Paula Place, 49.724686, -124.989364) as shown in the attached map.

**Treatment Dates**

- B. The pesticide use described herein may be conducted from 30 (thirty) days after the date of publication of the permit as described in Condition D until the permit expires on December 31<sup>st</sup>, 2018.

**Notifications**

- C. To allow inspection by the public, within seven days of permit issuance, the permit holder shall post a copy of the permit with relevant maps at the Ministry of Forests, Lands, Natural Resource Operations & Rural Development– Resource Protection Branch in Victoria, on the ministry’s web site, and at the municipal hall for the City of Courtenay. The posting shall be accessible for inspection and copying by the public during, at least, normal business hours. The posted permit and maps shall remain at these locations until one week after all pesticide spray activities under the permit have ceased.

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On behalf of the Administrator – *Integrated Pest Management Act*

- D. Within 15 days of issuance of the permit, the permit holder shall publish a notice in at least one community newspaper circulated within the treatment area. The published notice shall contain the following information:
1. Name, address and telephone number of the permit holder,
  2. Permit number,
  3. Purpose of pesticide use,
  4. Pesticide used (trade name, P.C.P. No. and active ingredient)
  5. Method of pesticide application
  6. A map showing the location of the treatment area and primary zone of spray drift deposition
  7. Date of project commencement and completion,
  8. Information on where copies of the permit and map of the treatment area may be examined in detail,
  9. Information on how and when telephone support lines can be accessed by the public to obtain spray-related information or to discuss health-related concerns associated with the pesticide use.
- E. The permit holder shall also conduct any additional notification agreed upon during the consultation process in the manner agreed upon with the parties to be notified.
- F. At least seven days prior to commencement of the first pesticide spray, 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.

The press release 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 *[insert date here]*. A maximum of four spray applications will take place at about ten day intervals until June 30, 2018. Each application is expected to commence at sunrise and take about *[insert duration here]* minutes to complete on each of *[insert number of days per spray application here]* 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.

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- G. Notification (written if possible) shall be provided to the persons listed below, or their representatives, at least 24 hours before commencement of each spray application. Immediate notification will be provided to these persons when a pending spray application has been cancelled, delayed or deferred. Notification will include estimates of how long the impending spray will likely take to be completed, when a deferred application has been rescheduled or, when the next spray is likely to occur:
1. the Medical Health Officer for the Vancouver Island Health Authority,
  2. the Principals of all schools within the treatment area and primary zone of spray drift deposition,
  3. the owners or managers of any licensed care facilities within the authorized spray area and primary zone of spray drift deposition,
  4. the holders of known surface intakes for domestic and agricultural water uses, within the treatment area and primary zone of spray drift deposition,
  5. the Mayor of the City of Courtenay, and,
  6. the Senior IPM Officer, BC Ministry of Environment, Nanaimo BC
- H. At least one hour before commencement of each spray application, the permit holder must ensure that treatment signs are displayed via LED variable message boards on the north and south bound lanes of highway 19A (Old Island highway) and on Hubbard Road on the eastern boundary of the spray block so that each sign is clearly visible and will inform any person approaching the area of the pesticide use.
- I. At least 48 hours before commencement of each spray application, the permit holder must ensure that treatment notice placards are displayed in the following locations:

	<b>descriptor</b>	<b>latitude</b>	<b>longitude</b>
1.	Baxter Rd Stop Sign	49.728345	-124.983533
2.	Virginia Dr. West	49.721455	-124.992118
3.	Meadow Brook	49.722156	-124.987957
4.	Paula Place North Stop Sign	49.724442	-124.989654
5.	Paula Place South Opposite Stop Sign	49.722005	-124.990132
6.	Hubband East	49.728224	-124.988421
7.	Hubband West Group Mail Boxes	49.725694	-124.993476
8.	Barker Street Group Mail Boxes	49.729576	-124.994979
9.	Cathy Crescent Group Mail	49.724226	-124.985515
10.	Wentworth Rd Group Mail	49.717547	-124.988526

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- J. The treatment notice placards specified in Condition I must:
1. be at least 75 cm x 65 cm in size
  2. display, in bold, block letters, the words "NOTICE OF PESTICIDE USE" (in place of the words "pesticide use", the phrase "GYPSY MOTH AERIAL SPRAYING" may be substituted),
  3. contain a cautionary symbol, like a stop sign or a raised hand,
  4. indicate the name of the permit holder,
  5. indicate the permit number,
  6. indicate the purpose of pesticide use,
  7. indicate the pesticide used (trade name, P.C.P. No. and active ingredient),
  8. indicate the method of pesticide application,
  9. contain a map showing the location of the treatment area and primary zone of spray drift deposition,
  10. contain the date of project commencement and completion,
  11. 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.
- K. All available information on public health concerns raised and addressed through the above mentioned health lines shall be recorded and reported within 15 days of each period of pesticide use. A final report summarizing all collected information shall be submitted, to the satisfaction of the Senior IPM Officer, within 30 days of the last day of pesticide use.
- L. 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.
- M. Prior to any pesticide use, the Senior IPM Officer shall be given written notification of the name, licence number and valid British Columbia Pesticide Applicator Certificate numbers of any contractors applying pesticides under this permit.
- N. All personnel involved in the project shall be notified of the terms and conditions of the permit and any permit amendments prior to pesticide use.

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### Authorized Pesticides

- O. Aerial application of the pesticide listed below is approved for use under the terms of this permit. Application rates indicated are maximums per application.

Trade Name	Active Ingredient (a.i.)	Product P.C.P. No.	Application Rate (litres/ha per each uses)	Maximum no. of Applications for each area of use	Maximum Area of Pesticide Use per Application (ha.)
Foray <sup>®</sup> 48B	<i>Bacillus thuringiensis</i> subsp. <i>kurstaki</i> strain ABTS-351	24977	4.0 (50 BCLU/ha)	4	94

### Treatment Area

- P. Aerial pesticide use is permitted on or over lands that are within the treatment boundaries delineated on the map accompanying this permit, where permission has been granted by the land owner, the land holder, an Order In Council, or other legal instrument.

### Monitoring

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

### Restrictions

- S. The permit holder shall take steps, to the satisfaction of the Senior IPM Officer, to mitigate spray-related impacts to any population(s) of pesticide-sensitive rare and endangered species known to exist within the treatment area and the primary zone of spray drift deposition.

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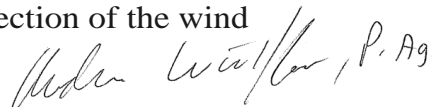
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- T. Pesticides shall not be applied in areas where wind speeds are greater than 8 km/hr. Application equipment and droplet size shall be selected to minimize drift while still achieving the primary treatment objective of Gypsy Moth eradication.
- U. Aerial applications shall be conducted in the daylight morning hours and shall be completed on or before 0730 hours.
- V. 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(s).
- W. The permit holder must comply with the requirements of the label for the pesticide being applied.
- X. A maximum of four aerial and/or ground-based treatments may be applied to any given area.
- Y. All spray equipment shall be properly calibrated prior to use.
- Z. All pesticide products and application equipment used shall be maintained in secure conditions that prevent tampering or the introduction of contaminants.
- AA. The permit holder must comply with all applicable provisions under the *Integrated Pest Management Act*. All individuals conducting aerial pesticide applications shall possess a valid pesticide applicator certificate in the Aerial category.

### **Record Keeping and Reporting**

- BB. For each treatment location and day of pesticide use under this permit, the permit holder must keep a record containing the following information:
  - 1) the name and address of the owner or manager of the treatment location
  - 2) if the use was performed as a service, the name and license number of the licensee who performed the service
  - 3) if the use was not performed as a service, the name and certificate number of the pesticide applicator certificate holder who used the pesticide
  - 4) the date and time of the pesticide use
  - 5) the name of the pest targeted by the use or the purpose of the pesticide use
  - 6) the trade name of each pesticide used and its registration number under the federal Act
  - 7) For each pesticide used, the method and rate of application and the total quantity used
  - 8) The prevailing meteorological conditions, including temperature, precipitation, and speed and direction of the wind

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- CC. Follow-up reports shall be provided to the Senior IPM Officer on or before January 31<sup>st</sup>, 2019. The reports shall include the quantities of pesticides used, the area treated (ha), a description of the timing of treatments, pesticide treatment efficacy information based on monitoring trap catches, the results of the spray zone and drift zone monitoring required under Condition Q, and all pertinent maps and recommended follow-up activities for the treatment area. Plans, data and reports pertinent to the permit are to be submitted to [ipmreporting@gov.bc.ca](mailto:ipmreporting@gov.bc.ca) by email.
- DD. 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. Areas affected by spills shall be cleaned-up and decontaminated immediately. The Senior IPM Officer and [ipmreporting@gov.bc.ca](mailto:ipmreporting@gov.bc.ca) shall be provided with reports on spills, clean-up activities and decontamination actions as soon as practicable.
- EE. Permit non-compliance that results in impacts not consistent with the intent of this permit shall be reported to the Senior IPM Officer and [ipmreporting@gov.bc.ca](mailto:ipmreporting@gov.bc.ca) within 48 hours of the infraction's discovery.

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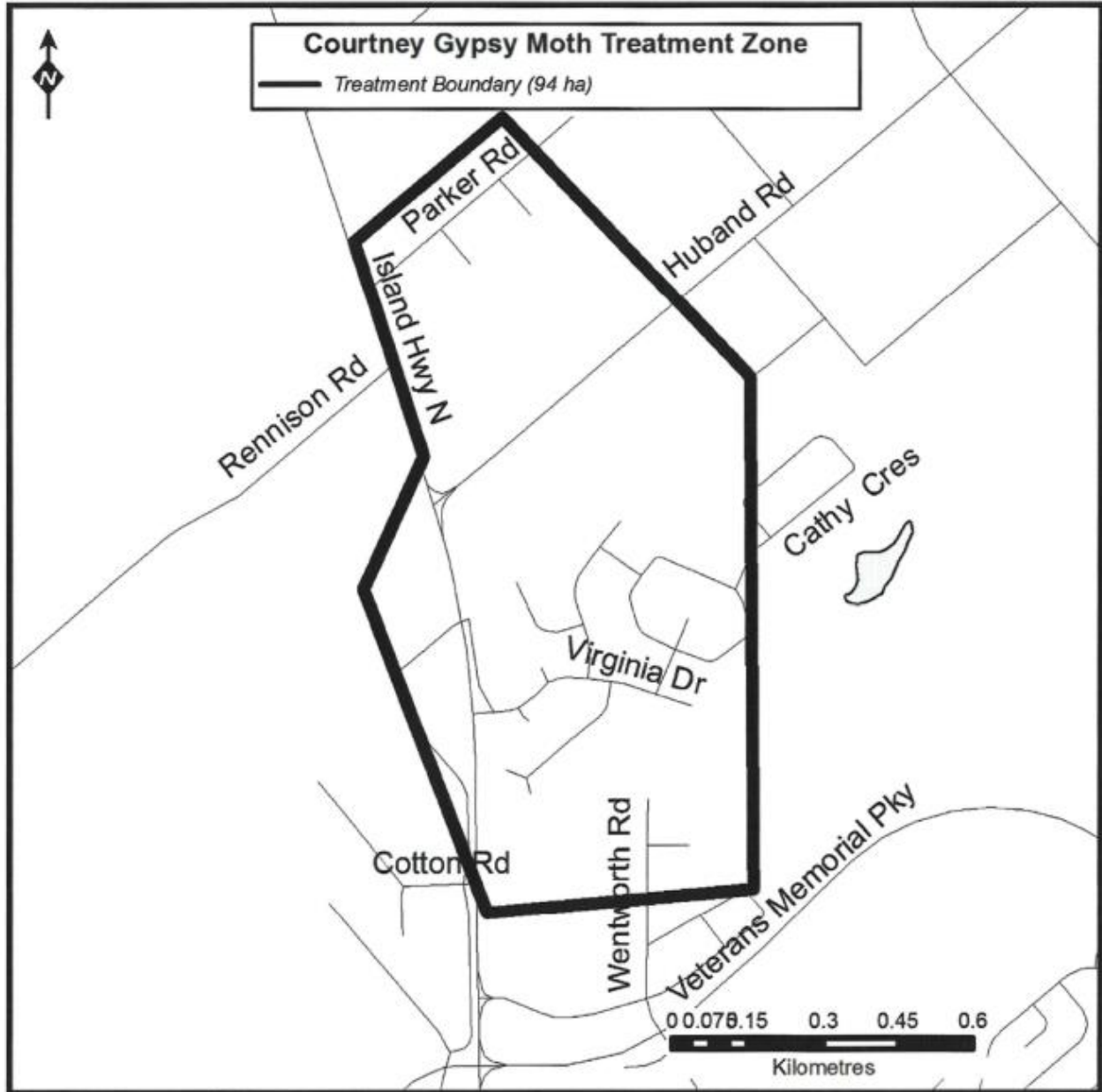


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**Map 1: Courtney Gypsy Moth Treatment Area**



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