ATTACHMENT G – NOTICE OF INTENT

WATER QUALITY ORDER NO. 2011-XXXX-DWQ
GENERAL PERMIT NO. CAG XXXXXX

STATEWIDE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FOR RESIDUAL PESTICIDE DISCHARGES TO WATERS OF THE UNITED STATES FROM VECTOR CONTROL APPLICATIONS

I. NOTICE OF INTENT STATUS (see Instructions)

Mark only one item ☒ A. New Applicator ☐ B. Change of Information: WDID# _____

☐ C. Change of ownership or responsibility: WDID# _____

II. DISCHARGER INFORMATION

A. Name: KERN MOSQUITO & VECTOR CONTROL DISTRICT			
B. Mailing Address: 4705 Allen Road			
C. City: Bakersfield	D. County: Kern	E. State: CA	F. Zip Code: 93314
G. Contact Person: Rob Quiring	H. Email address: robquiring@sbcglobal.net	I. Title: Manager	J. Phone: 661-589-2744

III. BILLING ADDRESS (Enter Information *only* if different from Section II above)

A. Name			
B. Mailing Address			
C. City	D. County	E. State	F. Zip Code
G. Email address	H. Title	I. Phone	

IV. RECEIVING WATER INFORMATION

A. Pesticide residues discharge to (check all that apply)*:

1. ☐ Canals, ditches, or other constructed conveyance facilities owned and controlled by Discharger.
   Name of the conveyance system: _____

2. ☒ Canals, ditches, or other constructed conveyance facilities owned and controlled by an entity other than the Discharger.
   Owner's name: see attached sheet
   Name of the conveyance system: _____

3. ☒ Directly to river, lake, creek, stream, bay, ocean, etc.
   Name of water body: Kern River, Poso Creek, Goose Lake Slough

   * A map showing the affected areas for items 1 to 3 above may be included.

B. Regional Water Quality Control Board(s) where application areas are located (REGION 1, 2, 3, 4, 5, 6, 7, 8, or 9): Region 5
(List all regions where pesticide application is proposed.)

V. PESTICIDE APPLICATION INFORMATION

A. Target Organisms: X Vector Larvae X Adult Vector

B. Pesticides Used: List Name and Active ingredients
see Pesticide Application Plan

C. Period of Application: Start Date January 1, 2011 End Date December 31st, 2011

D. Types of Adjuvants Added by the Discharger:

VI. PESTICIDES APPLICATION PLAN

A. Has a Pesticides Application Plan been prepared?*
☒ Yes ☐ No

If not, when will it be prepared? _____

* A copy of the PAP shall be included with the NOI.

B. Is the applicator familiar with its contents?

☒ Yes ☐ No

VII. NOTIFICATION

Have potentially affected governmental agencies been notified?
☒ Yes ☐ No

* If yes, a copy of the notifications shall be attached to the NOI.

TENTATIVE ORDER

IV. RECEIVING WATER INFORMATION - - supplemental page

A. Pesticide Residues Discharge to (check all that apply)*:

2. Canals, ditches, or other constructed conveyance facilities owned and/or controlled by an entity other than the Discharger.

* Notice: The District does not routinely make applications to canals or ditches. Dirt-lined canals or ditches may require attention if heavily vegetated or if water flow is minimal (or stopped) such as in the Fall when there is no longer an irrigation demand. Concrete canals may require spot treatments when water flow is minimal or when flow has been terminated and water becomes stagnant.

Name of Conveyance:	Owner/Operator:
Arvin-Edison Canal	Arvin/Edison Water Storage District
Beardsley Canal	North Kern Water Storage District
Calloway Canal	North Kern Water Storage District
Lerdo Canal	North Kern Water Storage District
East-Side Canal (Buttonwillow)	Buena Vista Water Storage District
West-Side Canal	Buena Vista Water Storage District
Main Drain Canal	Buena Vista Water Storage District
Cawelo Canal	Cawelo Water Storage District
Kern Island Canal	Kern Delta Water District
Farmer's Canal	Kern Delta Water District
Buena Vista Canal	Kern Delta Water District
East-Side Canal	Kern Delta Water District
Stine Canal	Kern Delta Water District

G-2 attachment

VII. NOTIFICATION - - supplemental page

Listing of governmental agencies that might be potentially affected by this NPDES permit and were therefore notified:

City Manager	**City of Bakersfield**	**Bakersfield, CA**
Chairman	**Kern County Board of Supervisors**	**Bakersfield, CA**
Manager	**Kern National Wildlife Refuge**	**Delano, CA**

Notice of Intent - - Attachment to page G-2

MANAGER
ROBERT A. QUIRING

SUPERINTENDENT
GENE ABBOTT

KERN
MOSQUITO AND VECTOR CONTROL DISTRICT

DISTRICT OFFICE

4705 ALLEN RD. BAKERSFIELD, CALIFORNIA 93314
PH: (661) 589-2744 FAX: (661) 589-4913 E MAIL: kmvcd@sbcglobal.net

March 21, 2011

Supervisor Mike Maggard
Chairman, Kern County Board of Supervisors
1115 Truxtun Ave., 5th Floor
Bakersfield, California 93301

RE: Notice of possible pesticide applications as required by the National Pollutant Discharge Elimination System (NPDES) Permit

Chairman Maggard:

As you may know, in January of 2009, the U.S. Sixth Circuit Court of Appeals ruled that dischargers making pesticide applications to "waters of the United States" are required to obtain a NPDES permit. The Sixth Circuit Court then granted the U.S. Environmental Protection Agency a two-year stay of the ruling in order to allow the EPA time to develop a permit. The stay will expire on April 9th, 2011.

One of the requirements of the Permit is that agencies (who make pesticide applications to aquatic sites that might be considered "waters of the U.S.") must notify government agencies who may be affected by these applications. Since the District makes seasonal applications of pesticides to areas within the County's jurisdiction that might be considered "waters of the United States", we are required to give you formal, written notice.

In summary, the District will now be required to obtain a permit in order to make pesticide applications to "waters of the U.S." - applications it has been making in certain areas of the County since 1917.

Sincerely,

Rob Quiring
District Manager

VIII. FEE

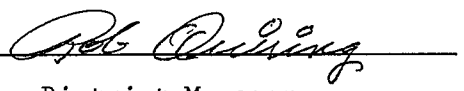
Have you included payment of the filing fee (for first-time enrollees only) with this submittal?

☒ Yes ☐ NO ☐ NA

IX. CERTIFICATION

"I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment. Additionally, I certify that the provisions of the General Permit, including developing and implementing a monitoring program, will be complied with."

A. Printed Name: Rob Quiring

B. Signature:  **Date:** 03/01/11

C. Title: District Manager

X. FOR STATE WATER BOARD USE ONLY

WDID:	**Date NOI Received:**	**Date NOI Processed:**
Case Handler's Initial:	**Fee Amount Received:** $	**Check #:**

TENTATIVE ORDER

C. PESTICIDE APPLICATION PLAN

1. **Description of target area:** Please see District map which has been attached to this document.

2. **Discussion of the factors influencing the decision to select pesticide applications for mosquito control:** Please see the California Department of Public Health's *Best Management Practices for Mosquito Control in California* - see "References" on page D-3.

3. **Types of pesticides used, the method in which they are applied, and if applicable, the adjuvants and surfactants used:** Please see the *Best Management Practices for Mosquito Control in California* - see "References" on page D-3.

4. **Description of all the application areas and the target areas in the system that are being planned to be applied or may be applied. Provide a map showing these areas.** Any site that holds water for more than 96 hours (4 days) can produce mosquitoes. Source reduction is the District's preferred solution, and whenever possible, the District works with property owners to effect long-term solutions to reduce or eliminate the need for continued applications as described in the *Best Management Practices for Mosquito Control in California.*

   The typical sources treated by this District include: duck clubs (seasonal wetlands), storm drain basins, agricultural sumps and ditches, non-maintained swimming pools, pastures and irrigated crops. Please see Agency Boundary Map.

5. **Other control methods used (alternatives) and their limitations:** With any mosquito or other vector source, the District's first goal is to look for ways to eliminate the source, or, if that is not possible, for ways to reduce the vector potential. The most commonly used methods and their limitations are included in CDPH's *Best Management Practices for Mosquito Control in California.* Specific methods used by the District include stocking mosquito fish (Gambusia affinis), educating residents that mosquitoes develop in standing water and encouraging them to remove sources of standing water on their property, and working with property owners to find long-term water management strategies that meet their needs while minimizing the need for public health pesticide applications.

6. **Approximately how much product is anticipated to be used and how was this amount determined?** Please see the summary of pesticide applications for last year which is attached to this document. Keep in mind that the totals include all applications (District-wide) not just applications to "waters of the United States". The number of applications made each year depends greatly upon the amount of rainfall or snowpack received during the winter. Obviously, the number of applications can vary greatly from year to year.

7. **Representative monitoring locations and the justifications for selecting these monitoring locations:** Please see the MVCAC's NPDES Coalition Monitoring Plan.

8. **Evaluation of available BMPs to determine if there are feasible alternatives to the selected pesticide application project that could reduce potential water quality impacts:** Please see CDPH's *Best Management Practices for Mosquito Control in California.*

9. **Description of the BMPs to be implemented:**

   a. **Measures to prevent a pesticide spill.** Employees are trained on spill prevention and response annually. Spill mitigation devices are available in order to respond to spills.

   b. **Measures to ensure that only a minimum and consistent amount is used:** Spray equipment is calibrated at least once each year and is part of the MOU with the California Department of Public Health.

   c. **A plan to educate Coalition's or Discharger's staff and pesticide applicators on any potential adverse effects to waters of the U.S. from the pesticide application:** Applicators are required to complete pesticide training yearly.

   d. **Descriptions of specific BMPs for each spray mode, e.g. aerial spray, truck spray, hand spray, etc.** The District calibrates truck and hand larviciding equipment each year to meet application specifications. Supervisors review spray records daily to ensure appropriate amounts of material are used. Ultra Low Volume (ULV) spray equipment is calibrated annually for output and droplet size to meet label requirements. Contracted airplanes (that might be used) in urban ULV applications are equipped with advanced guidance and drift management equipment to ensure the best available technology is being used to place material in the intended spray area.

KERN MOSQUITO AND VECTOR CONTROL DISTRICT
CHEMICAL USAGE FOR JANUARY -11 (January 2010 - December 2010)

CHEMICAL	FORM-L/D	REGISTRATION	USED		COST	USED		COST
AGNIQUE MMF	0.000-L	53263-28	536.750000	OUNCE	$ 154.34	4.190000	GALLON	$ 154.34
AGNIQUE MMF G	0.000-D	53263-30	0.000000	OUNCE	$ 0.00	0.000000	POUND	$ 0.00
ALTOSID ALL	15.000-L	2724-392-64833	0.000000	OUNCE	$ 0.00	0.000000	GALLON	$ 0.00
ALTOSID BRIQUETS	7.980-D	2724-375-64833	0.000000	BRIQ.	$ 0.00	0.000000	CASE	$ 0.00
ALTOSID CONC.	1.720-L	2724-446-64833	0.000000	OUNCE	$ 0.00	0.000000	GALLON	$ 0.00
ALTOSID PELLETS	0.000-D	2724-448-64833	0.000000	OUNCE	$ 0.00	0.000000	POUND	$ 0.00
ALTOSID WSP	0.000-D	2724-448	48.000000	PACKET	$ 37.41	1.060000	POUND	$ 37.41
ALTOSID XR	0.000-D	2724-421	204.000000	BRIQ.	$ 653.66	0.930000	CASE	$ 653.66
ALTOSID XR-G	1.500-D	2724-451	0.130000	OUNCE	$ 0.07	0.010000	POUND	$ 0.07
AQUA ANVIL	0.000-L	1021-1807-8329	0.000000	OUNCE	$ 0.00	0.000000	GALLON	$ 0.00
AQUA-RESLIN	1.670-L	432-796	0.000000	OUNCE	$ 0.00	0.000000	GALLON	$ 0.00
AQUAHALT	0.000-L	1021-1803-8329	0.000000	OUNCE	$ 0.00	0.000000	GALLON	$ 0.00
AQUALUER 20-20	0.000-L	769-985	0.000000	OUNCE	$ 0.00	0.000000	GALLON	$ 0.00
AQUAMASTER	0.000-L	524-343	0.000000	OUNCE	$ 0.00	0.000000	GALLON	$ 0.00
BVA 2	0.000-L	70589-1	97.000000	OUNCE	$ 6.22	0.760000	GALLON	$ 6.22
DUET	0.000-L	1021-1795-8329	113.750000	OUNCE	$ 157.69	0.890000	GALLON	$ 157.69
GB OIL 1111	1.000-L	071236-1	0.000000	OUNCE	$ 0.00	0.000000	GALLON	$ 0.00
GLYFOS AQUATIC	5.380-L	4787-34	0.000000	OUNCE	$ 0.00	0.000000	GALLON	$ 0.00
NATULAR 2EC	0.000-L	8329-82	0.000000	OUNCE	$ 0.00	0.000000	GALLON	$ 0.00
NO FOAM A	0.000-L	1050775-500155-AA	0.000000	OUNCE	$ 0.00	0.000000	GALLON	$ 0.00
PY-RIN 60-6 EC	0.500-L	1021-1091-2935	0.000000	OUNCE	$ 0.00	0.000000	GALLON	$ 0.00
PYRENONE 25-5	5.000-L	432-1050	0.000000	OUNCE	$ 0.00	0.000000	GALLON	$ 0.00
PYRENONE CROP SP	0.480-L	432-1033	0.000000	OUNCE	$ 0.00	0.000000	GALLON	$ 0.00
PYROCIDE-FOGGING	0.000-L	1021-1569	0.000000	OUNCE	$ 0.00	0.000000	GALLON	$ 0.00
PYRONYL OIL CONC	0.000-L	655-471	0.000000	OUNCE	$ 0.00	0.000000	GALLON	$ 0.00
ROUND UP	4.000-L	524-445	0.000000	OUNCE	$ 0.00	0.000000	GALLON	$ 0.00
ROUNDUP PRO	0.000-L	524-475	0.000000	OUNCE	$ 0.00	0.000000	GALLON	$ 0.00
SCOURGE	1.510-L	432-716	0.000000	OUNCE	$ 0.00	0.000000	GALLON	$ 0.00
SPHERATAX SPH	0.000-D	84268-2	0.000000	OUNCE	$ 0.00	0.000000	POUND	$ 0.00
SURFLAN	0.000-L	1471-113	0.000000	OUNCE	$ 0.00	0.000000	GALLON	$ 0.00
TEKNAR HPD	11.200-L	70051-51	0.000000	OUNCE	$ 0.00	0.000000	GALLON	$ 0.00
VECTOBAC 12AS	4.550-L	73049-38	0.000000	OUNCE	$ 0.00	0.000000	GALLON	$ 0.00
VECTOBAC TP	0.150-D	73049-13	0.000000	OUNCE	$ 0.00	0.000000	POUND	$ 0.00

Attachment to Pesticide Application Plan, page C-2
Annual Pesticide Usage Report

KERN MOSQUITO AND VECTOR CONTROL DISTRICT

CHEMICAL USAGE FOR JANUARY -11 (January 2010 - December 2010)

CHEMICAL	FORM-L/D	REGISTRATION	USED	COST	USED	COST
VECTOBAC WDG	37.400-D	73049-56	0.000000 OUNCE	$ 0.00	0.000000 POUND	$ 0.00
VECTOLEX WDG	51.200-D	73049-57	0.000000 OUNCE	$ 0.00	0.000000 POUND	$ 0.00
VECTOLEX WSP	7.500-D	73049-20	0.000000 PACKET	$ 0.00	0.000000 POUND	$ 0.00
VECTOMAX WSP	7.200-D	73049-429	286.000000 PACKET	$ 537.15	6.300000 POUND	$ 537.15
ZENIVEX E20	1.480-L	2724-791	0.000000 OUNCE	$ 0.00	0.000000 GALLON	$ 0.00
				$ 1,546.52		$ 1,546.52

----- END OF REPORT -----

e. Descriptions of specific BMPs for each type of environmental setting:
Please see *Best Management Practices for Mosquito Control in California.*

10. <u>Identification of the Problem:</u> The District's BMPs are described in the *Best Management Practices for Mosquito Control in California* and in CDPH's *Mosquito-borne Virus Surveillance and Response Plan - 2010.* See "References" page.

a. If applicable, establish densities for larval and adult vector populations to serve as action threshold(s) for implementing pest management strategies: Only those mosquito species that District staff determine to represent imminent threats to public health or quality of life are treated. The presence of a minor population of mosquitoes may necessitate treatment, however, higher thresholds may be applied depending on the District's resources, disease activity, or local needs. Treatment thresholds are based on a combination of one or more of the following criteria:

*Mosquito species present
*Mosquito stage of development
*Pest, nuisance or disease potential
*Disease activity
*Mosquito abundance
*Flight range
*Proximity to populated areas
*Size of source
*Presence/absence of natural enemies or predators

Please see the BMPs described in the *Best Management Practices for Mosquito Control in California* and the *California Mosquito-borne Virus Surveillance and Response Plan -2010.*

b. Identify target vector species to develop species-specific pest management strategies based on development and behavioral considerations for each species: Please see the the *California Mosquito-borne Virus Surveillance and Response Plan - 2010..*

c. Identify known breeding areas for source reduction, larval control program, and habitat management: Any site that holds water for more than 96 hours (4 days) can produce mosquitoes. Source reduction is the District's preferred solution, and whenever possible the District works with property owners to implement long-term solutions to reduce or eliminate the need for continued applications as described in the *Best Management Practices for Mosquito Control in California.*

d. **Analyze existing surveillance data to identify new or unidentified sources of vector problems as well as areas that have recurring vector problems:** This information is included in the *Best Management Practices for Mosquito Control in California* and the *California Mosquito-borne Virus Surveillance and Response Plan - 2010* that the District relies upon in its operations. The District continually collects adult and larval mosquito surveillance data, dead bird reports, and sentinel chicken test results and uses them to guide mosquito control activities. The District operates over 100 adult mosquito surveillance traps on a weekly basis in order to obtain appropriate mosquito abundance and disease activity data to guide control decisions.

11. <u>Examination of Pesticide Use Alternatives:</u>

a. **Evaluating management and treatment options that may impact water quality, non-target organisms, vector resistance, feasibility, and cost effectiveness, such as:**
*** No action**
*** Source prevention**
*** Mechanical or physical source reduction methods**
*** Cultural methods**
*** Biological control agents**
*** Pesticides**

If there are no alternatives to pesticides, dischargers shall use the least amount of pesticide necessary to effectively control the target pest.

Applying pesticides only when vectors are present at a level that will constitute a nuisance.

These actions are described in the *Best Management Practices for Mosquito Control in California* and the *California Mosquito-borne Virus Surveillance and Response Plan - 2010.*

12. <u>Correct Use of Pesticides.</u> **The Coalition's or the Discharger's use of pesticides must ensure that all reasonable precautions are taken to minimize the impacts caused by pesticide applications. Reasonable precautions include using the proper spraying techniques and equipment, taking account of weather conditions and the need to protect the environment.**

This is an existing practice of the District and is required to comply with the Department of

Pesticide Regulation's (DPR) requirements and the terms of the California Department of Public Health's *Cooperative Agreement.* All pesticide applicators receive annual safety and spill training in addition to their regular continuing education requirements.

13. **Website for Public Notice:**
Not currently available.

E. Pesticide Application Log. The Discharger shall maintain a log for each pesticide application. The application log shall contain, at a minimum, the following information, when practical, for larvicide or adulticide applications:

1. **Date of application;**
2. **Location of the application and target areas (e.g. address, crossroads, or map coordinates;**
3. **Name of applicator;**
4. **The names of the water bodies treated if known/named (i.e. canal, creek, lake)**
5) **Application details, such as when the application started and stopped, pesticide application rate and concentration; water flow rate of the target area, surface water area, volume of water treated, pesticide(s) and adjuvants used by the Discharger, and volume or mass of each component discharged;**

This is an existing practice of the District as required to comply with DPR regulations and CDPH's *Cooperative Agreement* requirements.

References:

Best Management Practices for Mosquito Control in California. 2010. Available from the California Department of Public Health's Vector-borne Disease Section, (916) 552-9730 or by download from http://www.westnile.ca.gov/resources.php under the heading Mosquito Control and Repellent Information.

California Mosquito-borne Virus Surveillance and Response Plan, 2010. [Note: this document is updated annually by CDPH]. Available from the California Department of Public Health Vector-borne Disease Section, (916) 552-9730 or by download from http://www.westnile.ca.gov/resources.php under the heading Mosquito Control and Repellent Information.

Mosquito & Vector Control Association of California's Coalition Monitoring Plan - 2011. Available from the Mosquito & Vector Control Association: http://www.mvcac.org

IV. RECEIVING WATER INFORMATION - - supplemental page

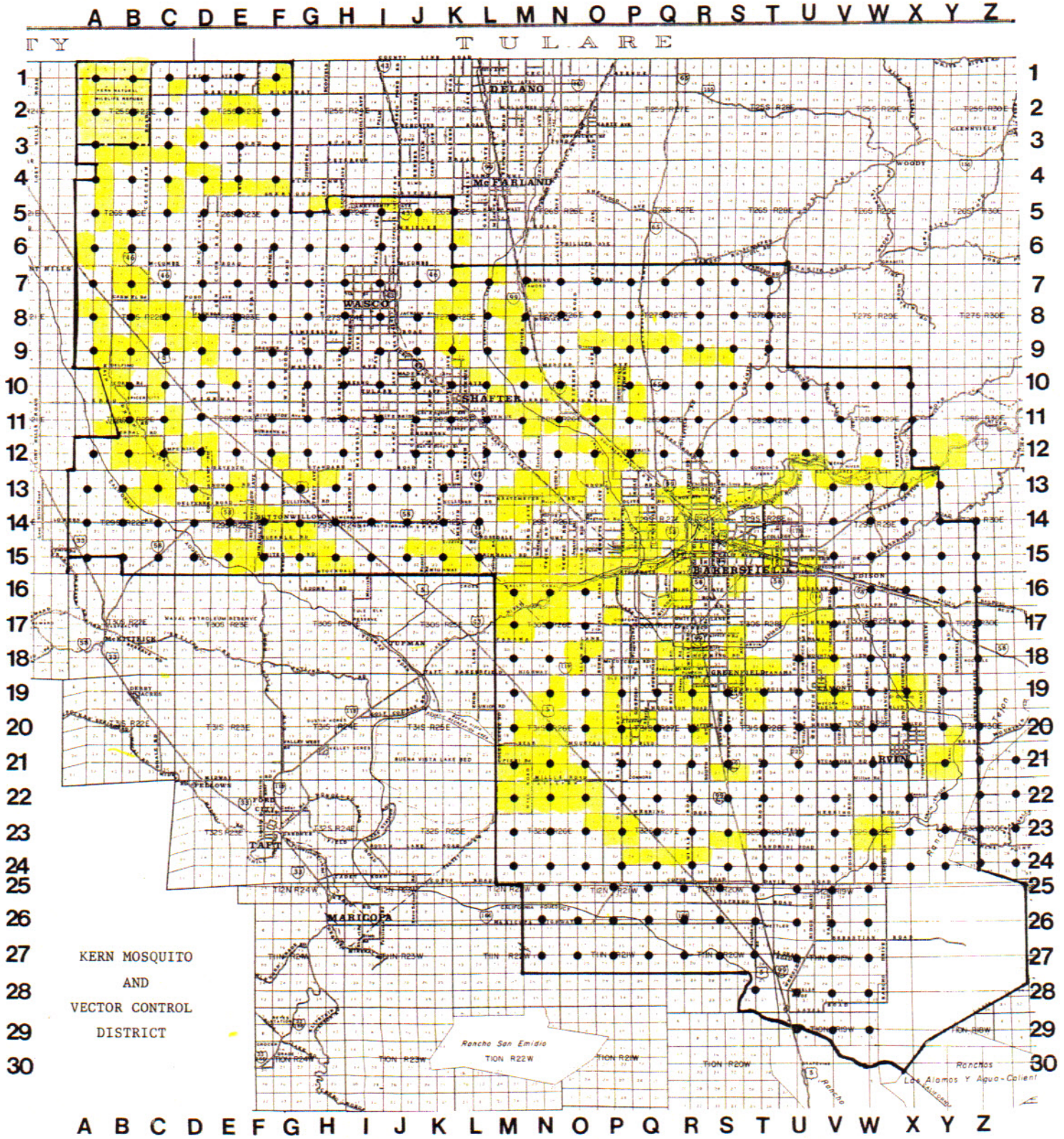
A. Pesticide Residues Discharge to (check all that apply)*:

2. Canals, ditches, or other constructed conveyance facilities owned and/or controlled by an entity other than the Discharger.

* Notice: The District does not routinely make applications to canals or ditches. Dirt-lined canals or ditches may require attention if heavily vegetated or if water flow is minimal (or stopped) such as in the Fall when there is no longer an irrigation demand. Concrete canals may require spot treatments when water flow is minimal or when flow has been terminated and water becomes stagnant.

Name of Conveyance:	Owner/Operator:
Arvin-Edison Canal	Arvin/Edison Water Storage District
Beardsley Canal	North Kern Water Storage District
Calloway Canal	North Kern Water Storage District
Lerdo Canal	North Kern Water Storage District
East-Side Canal (Buttonwillow)	Buena Vista Water Storage District
West-Side Canal	Buena Vista Water Storage District
Main Drain Canal	Buena Vista Water Storage District
Cawelo Canal	Cawelo Water Storage District
Kern Island Canal	Kern Delta Water District
Farmer's Canal	Kern Delta Water District
Buena Vista Canal	Kern Delta Water District
East-Side Canal	Kern Delta Water District
Stine Canal	Kern Delta Water District

G-2 attachment


A B C D E F G H I J K L M N O P Q R S T U V W X Y Z
T Y
T U L A R E
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30
DELANO
McFARLAND
WASCO
SHAFTER
BAKERSFIELD
ARVIN
TAFT
MARICOPA
KERN MOSQUITO
AND
VECTOR CONTROL
DISTRICT
Rancho San Emidio
T10N R22W
Ranchos
Los Alamos Y Agua Caliente
A B C D E F G H I J K L M N O P Q R S T U V W X Y Z