

CERTIFICATION R97-11/003

DEPARTMENT OF ENVIRONMENTAL QUALITY
GENERAL RULE 97 CERTIFICATION OF APPROVAL
AUTHORIZING MOSQUITO CONTROL
IN SURFACE WATERS

In compliance with the provisions of Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451), and R 323.1097 promulgated there under, certain pesticides are authorized to be applied to surface waters of the state to control the larval and pupal stages of mosquitoes by individuals submitting a complete Notification of Intent to treat under this certification. The Notification of Intent and instructions for its submittal are available from the Department of Environmental Quality (DEQ) Web site at http://www.michigan.gov/deq/0,1607,7-135-3313_46123_24554---,00.html, or by contacting Ms. Diana Butler at 517-335-3044, or e-mail at butlerd@michigan.gov. **This certification does not authorize any of the following:**

- a) The application of pesticides to control adult mosquitoes (adulticiding).
- b) The application of pesticides to surface waters of the state containing state or federal endangered or threatened species pursuant to Part 365, Endangered Species Protection, of Act 451. Information on endangered and threatened species is available at www.michigan.gov/deq.
- c) The application of pesticides to waters in a wastewater treatment system covered by a National Pollutant Discharge Elimination System (NPDES) permit.
- d) The application of pesticides to catch basins covered by an NPDES Municipal Separate Storm Sewer System (MS4) permit.

If your treatment area falls under items c or d above, then the request to apply pesticides to control mosquito larvae and pupae must be submitted to the DEQ as a Water Treatment Additive (WTA) request, pursuant to the requirements of the permit. Instructions on how to obtain approval to use a WTA are available on the DEQ's Web site at: http://www.michigan.gov/deq/0,1607,7-135-3313_46123_54918-226884---,00.html. ***Please note that WTA requests must originate from the permittee.***

The application of pesticides to surface waters of the state is authorized by this certification only under the following conditions:

1. The Notification of Intent must be submitted by one of the following entities:
 - (a) A person or entity who owns the property to be treated or who is the bottomland owner of the surface water body.
 - (b) A lake board established under Part 309, Inland Lake Improvements, of Act 451.
 - (c) A state or local government acting under authority of state law.
 - (d) A person who has written authorization to act on behalf of an entity in (a), (b), or (c).

2. The application of pesticides shall be conducted according to all pertinent label instructions and additional restrictions identified in this certification, and in consideration of integrated pest management options. Applications should occur only during ice-free conditions.
3. The application of the pesticides shall be for the control of larval and pupal stages of the mosquito only. Pesticides used for the control of mosquito larvae and pupae must be registered by the Department of Agriculture and Rural Development. Information regarding the registration of pesticides in Michigan may be found at www.michigan.gov/mdard. The application of "biological" pesticides (bacterial strains) should be given preference over the use of "chemical" (nonbiological) pesticides.
4. Only the following pesticides are authorized to be used in surface waters of the state and under the specified conditions:
 - a. *Bacillus spaericus* (B.s.)
 - b. *Bacillus thuringiensis israeliensis* (B.t.i.)
 - c. Spinosad (a mixture of spinosyn A and spinosyn D)
 - d. Methoprene
 - e. Monomolecular surface films (MSFs)
 - i. The application of MSFs to flowing water is not authorized.
 - ii. The application of MSFs to non-flowing roadside ditches and seasonally flooded woodlots is authorized according to label restrictions and application rates.
 - iii. The application of MSFs to lakes, ponds, and wetlands shall be restricted to the edges of the water bodies, and to those with no inlet or outlet.
 - f. Larviciding oils
 - i. The application of larviciding oils to flowing water is not authorized
 - ii. The application of larviciding oils to wetlands shall be restricted to the edges of the water bodies.
 - iii. The application of larviciding oils to non-flowing roadside ditches is authorized.
 - iv. The application of larviciding oils to temporarily flooded fields and woodlots (not floodplains) is authorized provided that the flooded areas do not have a connection to another water body. Additionally, the aquatic life populations in the temporarily flooded fields and woodlots (not floodplains) should be dominated by mosquito larvae and pupae so as to minimize the impact to non-target organisms.
5. The entity submitting the Notification of Intent shall retain records identifying treatment locations, dates of treatment, pesticide applicator(s) (if applicable), pesticides used at each location, and any written authorization obtained to comply with Item 1, above, for five years from the date of treatment. These records shall be available for DEQ inspection upon request.
6. In the event that any condition of this Certificate of Approval may not be met, the applicant shall immediately notify the District Supervisor or representative responsible for the area where the treatment occurred. A list of the DEQ district boundaries, Water Resources Division District Supervisors or representatives, and contact information is provided in Attachment 1.

7. The issuance of this certification does not authorize violation of any federal, state, or local laws or regulations, nor does it obviate the necessity of obtaining such permits, including any other DEQ permits, or approvals from other units of government as may be required by law; or complying with other state, federal, or local requirements.

Upon acknowledgement that a complete Notification of Intent has been received by the DEQ, the applicant is authorized to commence pesticide treatment in water bodies identified in Attachment A of their Notice of Intent in compliance with this certification. Acknowledgement of receipt of the Notification of Intent can be determined by visiting the DEQ's Web site at http://www.michigan.gov/dnre/0,1607,7-135-3313_46123_24554---,00.html or by contacting Ms. Diana Butler at 517-335-3044, or e-mail at butlerd@michigan.gov.

Issued this 22nd day of April 2011, by the DEQ, and shall expire on December 31, 2011.



Diana Klemans, Chief
Surface Water Assessment Section
Water Resources Division

Attachment

Attachment 1

District Supervisor or Representative Contacts

DISTRICT	CONTACT	COUNTIES
Cadillac District Office 120 West Chapin Street Cadillac, MI 49601-2158	Brian Jankowski (acting) janjowskib@michigan.gov 231-876-4474	Alcona, Alpena, Antrim, Benzie, Charlevoix, Cheboygan, Crawford, Emmet, Grand Traverse, Kalkaska, Lake, Leelanau, Manistee, Mason, Missaukee, Montmorency, Osceola, Oscoda, Otsego, Presque Isle, Roscommon, Wexford
Grand Rapids District Office State Office Building 350 Ottawa Avenue NW, Unit 10 Grand Rapids, MI 49503-2316	Luis Saldivia ssaldivial@michigan.gov 616-356-0208	Barry, Ionia, Kent, Montcalm, Mecosta, Muskegon, Newaygo, Oceana, Ottawa
Jackson District Office Jackson State Office Building 301 E. Louis Glick Highway Jackson, MI 49201-1556	Jon Russell russelji@michigan.gov 517-780-7847	Hillsdale, Jackson, Lenawee, Monroe, Washtenaw
Kalamazoo District Office 7953 Adobe Road Kalamazoo, MI 49009-5026	Kameron Jordan jordank@michigan.gov 269-567-3565	Allegan, Calhoun, Kalamazoo, VanBuren, Berrien, Branch, Cass, St. Joseph
Saginaw Bay District Office 503 N. Euclid Avenue, Suite 1 Bay City, MI 48706-2965	Brian Rudolph rudolphb1@michigan.gov 989-894-6225	Arenac, Bay, Clare, Gladwin, Huron, Iosco, Isabella, Midland, Ogemaw, Saginaw, Sanilac, Tuscola
Lansing District Office P.O. Box 30242 Lansing, MI 48909-7742	Mary Vanderlaan vanderlaanm@michigan.gov 517-335-4523	Clinton, Eaton, Genesee, Gratiot, Ingham, Lapeer, Livingston, Shiawassee
Southeast Michigan District Office 27700 Donald Court Warren, MI 48092-2793	Hae-Jin Yoon yooh@michigan.gov 586-753-3750	Macomb, Oakland, St. Clair, Wayne
Upper Peninsula District Office KI Sawyer International Airport & Business Center 420 5th Street Gwinn, MI 49841	Steve Casey caseys@michigan.gov 906-346-8535	Alger, Baraga, Chippewa, Delta, Dickenson, Gogebic, Houghton, Iron, Luce, Keweenaw, Mackinac, Marquette, Menominee, Ontonagon, Schoolcraft