

## PERMIT TO CONDUCT MOSQUITO LARVICIDE TREATMENTS

Applicant: **BLS Insect Control District**  
**P.O. Box 188**  
**Brandon VT 05733**

Permit number: 2011-MLP-01

1. This permit is valid upon signing and shall expire five years from the date of signing.
2. The Permittee is authorized to use the products listed in below in a mosquito control program.

Active Ingredient	Product Name	EPA Reg. #	Conditions	
<i>Bacillus thuringiensis</i> subsp. <i>israelensis</i>	VectoBac7 G	73049-10	Areas of temporary or stagnant surface water which constitute mosquito breeding areas with the exemption of those areas within a 200 foot buffer of a public water supply wellhead. Two hundred foot buffers may also be requested for a private water supply.	
	VectoBac7 CG	73049-19		
	VectoBac7 12AS	73049-38		
	VectoBac7 WDG	73049-57		
	Summit B.t.i. BriquetsJ	6218-47		
<i>Bacillus sphaericus</i>	VectoLex7 CG	73049-20		
	VectoLex7 WDG	73049-57		
Methoprene	Altosid7 SBG	2724-489		Applications of Methoprene are to be made in areas that need residual control. Applications of Briquets are to be by hand drop only, and only to ditches and surface depressions that collect snowmelt or rainfall to create temporary surface pools. Formulations of methoprene may only be aerially applied a maximum of two times per year to areas not directly influenced by floodwaters.
	Altosid7 XR	2724-421		
	Altosid7 Briquets	2724-375		
	Altosid7 XR-G	2724-451		
	Altosid7 Liquid	2724-392		
	Altosid7 LLC	2724-446		
	Altosid7 Pellets	2724-448		
	Altosid7 WSP	2724-448		



Active Ingredient	Product Name	EPA Reg. #	Conditions
Poly(oxy-1,2-ethanediyl), $\alpha$ -isooctadecyl- $\omega$ -hydroxyl	Agnique 7	53263-28	Applications may be made only as a rescue treatment for the control of mosquito pupae. Agnique 7 shall only be used in small stagnant areas such as drainage ditches, puddles, detention basins, swales and agricultural field pools that do not actively drain to surface waters.
Spinosad	Natular G	8329-80	Areas of temporary or stagnant surface water which constitute mosquito breeding areas with the exemption of those areas within a 200 foot buffer of a public water supply wellhead. Two hundred foot buffers may also be requested for a private water supply.

3. All products authorized for use in Condition 2 shall be registered for use in Vermont at the time of their use. All product label requirements and state and federal regulations shall be followed.
4. Applications of any of the products in Condition 2 shall only occur if the conditions set forth in the grant agreement, based on biological assessments for mosquito larvae/pupae populations, that larvae or pupae populations warrant treatment.
5. Any of the products in Condition 2 may be applied using ground-based methods.
6. Ground-based applications of all of the products in Condition 2 shall only be made under the direct supervision of pesticide applicators certified by the Vermont Agency of Agriculture, Food and Markets in Category 7B - Mosquito and Biting Flies.
7. Aerial applications may only be made using the products in Condition 2 that contain *Bacillus thuringiensis* subsp. *israelensis* or *Bacillus sphaericus*, or the liquid or granule formulations of methoprene. Agnique® and the methoprene formulation, Altosid® Briquets, shall not be applied aerially. Aerial application shall only be made by pesticide applicators certified in Category 11 - Aerial Pest Control.
8. The Permittee is authorized to apply the products in Condition 2 only in the designated treatment areas depicted on the maps submitted with the application and on file with the Agency in conjunction with this permit.
9. No application of the products in Condition 2 shall take place within the isolation zone of any public water supply source (a 200 foot radius from the wellhead), or within 200 feet of any private water supply if the landowner requests that treatment not occur.
10. Multiple applications of the products containing Spinosad, *Bacillus thuringiensis* subsp. *israelensis* and/or *Bacillus sphaericus* in Condition 2 may be made each year provided the requirements of Condition 4 are met.



11. The Permittee shall apply the methoprene formulation, Altosid® Briquets, by hand drops only, and only to ditches and surface depressions that collect snowmelt or rainfall to create temporary surface pools. Altosid® Briquets shall not be used in waters that may serve as fish habitat.
12. Liquid or granule formulations of the products containing methoprene in Condition 2 collectively may only be aerially applied a maximum of two times per year to the interior of swamp areas not directly influenced by the river floodwaters.
13. Multiple ground and/or aerial applications of the products in Condition 2 containing methoprene may be made each year provided the requirements of Condition 4 are met and Condition 12 is not exceeded.
14. Agnique® shall only be used in small stagnant areas such as drainage ditches, puddles, detention basins, swales and agricultural field pools that do not actively drain to adjacent surface waters and are located in the designated treatment areas depicted on the maps submitted with the application and on file with the Agency in conjunction with this permit.
15. The Permittee shall publish a notice of its intent to use the products listed in Condition 2 in a newspaper deemed acceptable by the Vermont Agency of Agriculture. The notice shall be published not less than 14 days prior to implementation of the control program during each of the years this permit is in effect and be published for two successive weeks in each newspaper. If the publication is a daily newspaper, the notice shall appear on a Thursday. The notice shall state:
  - a. the name and address of the Permittee as well as the name, position, address, and telephone number of the person representing the Permittee who can be contacted for further information;
  - b. a reasonable description of the area to be treated including the names of towns in which treatments will occur;
  - c. the approximate date(s) of the treatments;
  - d. the method(s) by which application will occur; the name of the products being applied; and,
  - e. a contact name, address and telephone number for a member of the Vermont Agency of Agriculture, Food and Markets who can be contacted for further information.
16. The notice shall provide an opportunity for individuals to refuse treatment of their property or request a buffer of 200 feet around their private water supply. Prior to publication, a copy of the notice shall be provided to the Vermont Agency of Agriculture, Food and Markets.
17. The Permittee shall submit a public service announcement to two local radio stations serving the treatment areas to be aired beginning at least seven days before the first treatment and advising the public of the treatment program. The announcements shall provide a brief description of the treatment areas and identify the products being applied; the name and telephone number of a person representing the Permittee who can be contacted for further information; and a contact name, address and telephone



number for a member of the Vermont Agency of Agriculture, Food and Markets who can be contacted for further information. The announcement shall provide an opportunity for individuals to refuse treatment of their property or request a buffer of 200 feet around their private water supply.

18. The Permittee shall submit an annual report on the mosquito control program to the Agency at the end of each year the permit is in effect. For each product authorized for use in Condition 2, the report shall include (1) the product name, (2) the date(s) applied, (3) the locations treated, (4) the rate per acre used, (5) the estimated acreage treated, and (6) total amount of product applied.
19. The Permittee shall conduct the mosquito control program in strict accordance with the permit application; the following conditions of this permit, with such minor modifications as may be approved in writing by the Agency, unless the Vermont Department of Health determines that a health emergency exists, in which case the conditions of this permit shall be complied with to the extent that they are not inconsistent with the nature of and action required by the health emergency.
20. A duly authorized representative(s) of the Vermont Agency of Agriculture, Food and Markets may at any time inspect the project, including the operation and maintenance thereof.
21. This permit may be modified for cause upon written request for modification which contains facts or reasons supporting the request, or upon the Vermont Agency of Agriculture, Food and Markets' own motion. If the State Entomologist determines that modification is appropriate. Cause for modification of this permit includes, but shall not be limited to:
  - a. alterations to the activities authorized by this permit which occurred after permit issuance and which justify the application of conditions that are different or absent in the existing permit; or,
  - b. the receipt of information concerning the activities authorized by this permit which was not available at the time the permit was issued and which would have justified different permit requirements at the time of permit issuance.
22. After notice and opportunity for a hearing, this permit may be suspended or revoked for cause in whole or in part, upon a written request for suspension or revocation which contains facts or reasons supporting the request, or upon the Vermont Agency of Agriculture, Food and Markets own motion. Cause for suspension or revocation includes:
  - a. violation of any of the terms or conditions of this permit;
  - b. failure by the Permittee to disclose all relevant facts during the permit issuance process which were known at that time;
  - c. misrepresentation of any relevant fact at any time during the permit issuance process;
  - d. a determination by the Secretary of Agriculture that the risk to the non-target environment resulting from the activities authorized by this permit is unacceptable;





AGENCY OF AGRICULTURE, FOOD & MARKETS

**Chuck R. Ross, Secretary**

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- e. a determination by the Secretary of Agriculture that the risk to public health resulting from the activities authorized by this permit is more than negligible.
- 23. Nothing in this permit shall be construed to relieve the Permittee or its agent(s) from civil or criminal penalties for noncompliance with the conditions of this permit.
- 24. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the Permittee or its agent(s) from any responsibility, liabilities or penalties established pursuant to any applicable federal, state and local laws, regulations, or permits.
- 25. Issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.
- 26. The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

Dated: April 21, 2011

Amended April 16, 2014

A handwritten signature in black ink, appearing to read "Charles R. Ross".

Charles R Ross , Secretary  
Vermont Agency of Agriculture,  
Food & Markets

