



Pesticide and Noxious Weed Newsletter

Winter/Spring 2010

Nebraska Department of Agriculture

Vol. 26

Pesticide Sensitive Crop Locator

The Nebraska Department of Agriculture (NDA) is pleased to announce the development of the **Pesticide Sensitive Crop Locator**, a web site designed to provide pesticide applicators with information on sensitive crops located near the sites they plan to apply pesticides (i.e., herbicide, insecticide, fungicide, etc). Commercial growers of pesticide sensitive crops can enter their crop locations and contact information, which can then be viewed by pesticide applicators from a list queried from the database, or viewed from an interactive map of the state.

In the last decade or so, organic crops, vineyards, and other "pesticide sensitive" crops have been dotting the landscape in increasing numbers. Markets are being created by consumer demand for these products, and sales from these crops are contributing to agriculture's economic diversity. While all agricultural crops can be damaged by accidental pesticide drift, many of these crops are especially sensitive to pesticides, causing drastic economic impacts to individual growers.

Pesticide applicators are encouraged to use this web site to determine if any sensitive crops are near a planned pesticide

application site, and adjust their procedures (timing or application method) accordingly. Keep in mind, however, that listings in this locator are voluntary, and not all sensitive crop locations may be listed at any one time. Applicators are encouraged to use this service and document known locations in your application records, or simply print out a view from this locator. It would also be a good idea to scout the area beforehand to become familiar with the landscape. Stop and visit with neighbors, who may have sensitive crops to let them know of your intentions, and try to allay any concerns they may have.

NDA encourages commercial growers of pesticide-sensitive crops to register their locations at this web site, so pesticide applicators can access information for their area. Sensitive crops in the following categories will be accepted: fruits or vegetables, grapes (vineyards), honey, nursery (ornamental plants, plants for seed, flowers/cut flowers, etc), orchard (trees for fruit/nuts), organic, and other commercially grown crops that may be sensitive to pesticides.

This service is only as good as the information contained here, so new information should be updated as soon as possible. In addition, growers should take the time to contact their neighbors and/or local pesticide dealers/co-ops to let them know of concerns about the potential for pesticide damage. Good communication is the key to avoiding these problems.

Access to the grower data input page, the database search page, and the interactive map page can be found at NDA's **Pesticide Sensitive Crop Locator** web page (<http://www.agr.ne.gov/division/bpi/pes/psci.htm>). Currently, the

database contains only locations for vineyards, but it will be promoted to growers of other sensitive crops this fall and winter. These web sites are also being modified and improved based on feedback from growers and applicators, and should be completed by the 2010 application season.

This project was funded by the U.S. Environmental Protection Agency and Nebraska Winery and Grape Board, with oversight provided by NDA and the University of Nebraska Center for Advanced Land Management Information Technologies.

EPA Updates Atrazine Info on the Web

The U.S. Environmental Protection Agency (EPA) has updated its web information on the active ingredient atrazine. Recently, it was announced that the agency would again evaluate information related to potential human health effects of atrazine use, including occupational, food, and drinking water exposure. EPA will be seeking input over the next two years from an independent scientific advisory panel on the data used for, and conclusions from, EPA's risk assessments. At the conclusion of the evaluation for human health effects, EPA will ask the advisory panel to review atrazine's potential effects on amphibians and aquatic ecosystems. As part of the re-registration agreement between EPA and atrazine registrants in 2003,

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ecological monitoring in selected watersheds, including seven in Nebraska, is being conducted. The results of this monitoring are helping EPA and the states determine the extent to which additional monitoring and/or mitigation may be needed to protect aquatic resources.

Results from four of the seven streams sampled in Nebraska indicated atrazine levels approaching or exceeding the level of concern EPA is considering for the protection of aquatic life (10-20 ppb), which is an average level over a period of several days. This is the level below which aquatic algae and other primary producers are protected or are able to recover as a community of organisms. The severity of atrazine effects on aquatic community structure (number of species and types of primary producers) is highly dependent on the frequency, magnitude, and duration of exposure. NDA, Nebraska Department of Environmental Quality (NDEQ), Nebraska's Natural Resource Districts, University of Nebraska Extension, and USDA Natural Resources Conservation Service have been working with EPA and Syngenta to provide farmers and commercial applicators with the information needed to make decisions concerning atrazine use and the conservation practices needed to reduce concentrations to acceptable levels.

In addition, updates on the drinking water monitoring study required by the 2003 re-registration agreement have been posted on EPA's web site. This is an intensive monitoring program looking for atrazine residues in drinking water from approximately 150 community water systems. These systems, located primarily in the Midwest, are among the most vulnerable to atrazine exposure. Under the agreement, monitoring is conducted for at least five years. Two concentrations exceeding the level of concern in raw water at a community system in different years over a five-year period will result in prohibition of further atrazine use in the associated watershed. If a community system does not have concentrations exceeding the level of concern during five years of monitoring, it may be released from this monitoring program. To date, 20 systems have been released from the

program, and no system has had two years of concentrations exceeding that level. About 20 community systems have been added to the program. All of these systems treat surface water from streams, rivers, or impoundments, and none of the systems are located in Nebraska. However, several of them obtain water that could originate in Nebraska watersheds, such as the Big and Little Blue River, Republican River, and Platte River drainage.

More information on EPA's approach to evaluating atrazine, including the data collected from both the ecological and community water system monitoring programs, and EPA's atrazine risk assessments can be found at http://www.epa.gov/pesticides/reregistration/atrazine/atrazine_update.htm. Information for farmers and commercial applicators on BMPs for pest management and erosion/runoff control can be found in Recommended Atrazine BMPs for Surface Water Quality (http://www.agr.ne.gov/division/bpi/pes/atrazine_bmp_handout.pdf), as well as several Extension publications (see <http://www.ianrpubs.unl.edu/>).

Certification/Dealer Q & A

Q: What types of pesticides and pesticide uses are allowed with a private applicator license?

A: To quote the Nebraska Pesticide Act, a private applicator is someone who "uses or supervises the use of any pesticide which is classified for restricted use for purposes of producing any agricultural commodity on property owned or rented by him/her or his/her employer or, if applied without compensation other than trading of personal services between producers of agricultural commodities, on the property of another person."

What this means is that a private pesticide applicator license allows someone to purchase and apply restricted-use pesticides (RUPs) as part of their agricultural production. NDA has interpreted the term agricultural commodity as broadly as possible in order to accommodate most farming operations and farm commodities, including non-food

commodities (such as commercial tree nurseries).

Where we draw the line is for RUPs that are labeled for uses that are not associated with production of agricultural commodities. For example, NDA will occasionally run across a private applicator who would like to renovate a farm pond for personal fishing purposes or treat their home or barn for termites. If a RUP is used, the private applicator license is not the correct license to purchase or apply these pesticides. Below are two lists for reference. The first shows the types of RUP applications where a private applicator license is appropriate, the second list shows situations where it is not. If you have any questions about specific situations or chemicals, please call the NDA Pesticide Program toll free at (877) 800 4080.

Examples of pesticides and uses for which a private applicator license is appropriate:

- Grain or other food crop production control of insects, weeds, or diseases.
- Insect control on farm animals produced for meat or milk.
- Stored grain fumigation.
- Field borders, fence lines, or roadside ditch weed or insect control.
- Control of moles, pocket gophers, or prairie dogs in pastures and rangeland.
- Fly control in feedlots, sewage lagoons, and confinement operations.
- Non-food crops control of insects, weeds, or diseases.
- Noxious weed control in fields, pastures, rangeland, and rights-of-way.
- Control of insects, weeds, or disease in shelter belts or around the farmstead.

Examples of RUPs and uses for which a private applicator license is NOT appropriate:

- Control of fish in farm ponds for recreational purposes.
- Termite control in any structure.
- Mosquito control, using any pesticide, for local communities.
- Residential lawn care on/ around farm homes.
- Weed control in aquatic sites or irrigation canals.

2010 Initial Certification Meetings Commercial and Non-Commercial (UNL or Association Training plus NDA Exams)

Training entities may charge fees for training. NDA will bill applicators separately for commercial licenses

Date	Meeting	Category(ies)	City, Location
Jan. 26	<u>Ag Expo</u>	1	Omaha, Hilton Hotel
Feb. 02	UNL Initial Certification	1 4 6 7	Fremont, Dodge County Extension
Feb. 02	UNL Initial Certification	1 4 5 8 8W 10	Grand Island, College Park
Feb. 02	UNL Initial Certification	1 4 7 9 11 14	Lincoln, Lancaster County Extension
Feb. 02	UNL Initial Certification	1 3 5 9 14	North Platte, UNL WCREC
Feb. 02	UNL Initial Certification	1 4 9 11	Scottsbluff, Panhandle REC
Feb. 25	<u>Custom Applicator School</u>	1	Hastings, Central Community College
Feb. 25	UNL Initial Certification	4 6 7 9 11 14	Grand Island, College Park
Feb. 25	UNL Initial Certification	1 4 7 8 8W 10	Lincoln, Lancaster County Extension
Feb. 25	UNL Initial Certification	1 4 5 10 14	Norfolk, Lifelong Learning Center
Feb. 25	UNL Initial Certification	4 7 8 8W	North Platte, UNL WCREC
Feb. 25	UNL Initial Certification	3 4 7 9	Omaha, Douglas County Extension
Feb. 25	UNL Initial Certification	4 5 7 8 8W	Scottsbluff, Panhandle REC
Mar. 09	UNL Initial Certification	1 4 5 7 8 8W 9 10 14	Norfolk, Lifelong Learning Center
Mar. 16	UNL Initial Certification	1 4 6 14	Beatrice, Gage County Extension
Mar. 16	UNL Initial Certification	1 4 8 8W	Columbus, Platte County Extension
Mar. 16	UNL Initial Certification	1 4 7 9	Ogallala, Valentino's - 55 River Road
Mar. 16	UNL Initial Certification	1 4 8 8W 10 14	Omaha, Douglas County Extension
Mar. 16	UNL Initial Certification	1 4 7 14	Scottsbluff, Panhandle REC
Mar. 16	UNL Initial Certification	1 7 14	Valentine, Cherry County Extension
Apr. 15	UNL Initial Certification	4	Lincoln, Lancaster County Extension
Apr. 15	UNL Initial Certification	1 4	North Platte, UNWCREC
Apr. 15	UNL Initial Certification	4 7 8 8W	Omaha, Douglas County Extension
Apr. 15	UNL Initial Certification	4	Scottsbluff, Panhandle REC

Meetings underlined above are not hosted by UNL and registration must be made through the Nebraska Agri-Business Association (402) 476-1528 (www.na-ba.com).

Applicator Categories

1	Ag Plant	8	Structural Health
1a	Soil Fumigation	8W	Wood Destroying Organism
2	Ag Animal	9	Public Health
3	Forest	10	Wood Preservation
4	Ornamental and Turf	11	Fumigation (grain)
5	Aquatic	12	Aerial
5S	Sewer Root (<i>metam sodium</i>)	14	Wildlife Damage Control
6	Seed Treatment	REG	Regulatory Subcategory
7	Right-of-Way		

Effective January 1, 2010, the NDA Pesticide Program will no longer offer testing services for pesticide applicator licenses in the Lincoln State Office Building. This decision was made due to a recent reduction in staff in the Lincoln office, and is a permanent change to the program. Pesticide field staff have expanded the number of off-site testing sessions in Lincoln and Omaha for 2010 in order to handle the number of people the Lincoln office typically proctors (362 individuals last year).

Please Post for Future Reference

2010 Recertification/Renewal Meetings Commercial and Non-Commercial (No NDA Exams Offered)

Training entities may charge fees for training. NDA will bill applicators separately for commercial licenses.

Date	Meeting	Category(ies)	City, Location
Jan. 05	Crop Production Clinic	1 D/R	Hastings, Adams County Fairgrounds
Jan. 06	Crop Production Clinic	1 D/R	North Platte, Sandhills Convention Center
Jan. 07	Crop Production Clinic	1 D/R	Gering, Gering Civic Center
Jan. 11	<u>Green Expo</u>	4	Council Bluffs, Mid-America Center
Jan. 12	Crop Production Clinic	1 D/R	Beatrice, Classics (Beatrice Country Club)
Jan. 13	Crop Production Clinic	1 D/R	York, City Auditorium
Jan. 14	Crop Production Clinic	1 D/R	Kearney, Holiday Inn Center
Jan. 19	Crop Production Clinic	1 D/R	Ainsworth, Community Center
Jan. 20	Crop Production Clinic	1 D/R	Norfolk, Lifelong Learning Center NECC
Jan. 21	Crop Production Clinic	1 D/R	Fremont, Midland Lutheran College Event Center
Feb. 2-3	Urban PMC	8 8W 9 11 14 (up to 3)	Lincoln, Cornhusker Hotel
Feb. 04	UNL Recertification	4 7 8 8W	Ainsworth, Courthouse Meeting Room
Feb. 04	UNL Recertification	4 7 11 14	Beatrice, Gage County Extension
Feb. 04	UNL Recertification	4 7 8 8W	Fremont, Dodge County Extension
Feb. 04	UNL Recertification	4 7 8 8W 10 14	Grand Island, College Park
Feb. 04	UNL Recertification	4 7 9	Holdrege, Phelps County Fairgrounds
Feb. 04	UNL Recertification	4 7 8 8W 10 11	Norfolk, Lifelong Learning Ctr.
Feb. 04	UNL Recertification	4 5 7 11 14	North Platte, UNL WCREC
Feb. 04	UNL Recertification	4 7 8 8W 9 11	Omaha, Douglas County Extension
Feb. 04	UNL Recertification	4 7 8 8W 9 11	Scottsbluff, Panhandle REC
Feb. 11	UNL Recertification	4 5 7 8 8W 11	Lincoln, Lancaster County Extension
Feb. 16-17	<u>NATA (pilots) Conv.</u>	1 7 12	Kearney, Ramada Inn
Feb. 23	UNL Recertification	4 5 7	Ainsworth, Courthouse Meeting room
Feb. 23	UNL Recertification	4 7 9 11	Beatrice, Gage County Extension
Feb. 23	UNL Recertification	4 5 7 14	Columbus, Platte County Courthouse
Feb. 23	UNL Recertification	4 5 7 8 8W 11	Grand Island, College Park
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Feb. 23	UNL Recertification	4 7 9 10 14	North Platte, UNL WCREC
Feb. 23	UNL Recertification	4 5 7 9 10 14	Omaha, Douglas County Extension
Feb. 23	UNL Recertification	4 5 7 11 14	Scottsbluff, Panhandle REC
Mar. 18	UNL Recertification	4 7 9	Beatrice, Gage County Extension
Mar. 18	UNL Recertification	4 5 7	Holdrege, Phelps County Extension
Mar. 18	UNL Recertification	4 7 8 8W 11 14	Lincoln, Lancaster County Extension
Mar. 18	UNL Recertification	4 7 9 11 14	Ogallala, Valentino's - 55 River Road
Mar. 18	UNL Recertification	4 5 7 9 11 14	Scottsbluff, Panhandle REC
Mar. 18	UNL Recertification	4 5 7 14	Valentine, Cherry County Extension
Mar. 31	UNL Recertification	4 7 8 8W 9 14	Norfolk, Lifelong Learning Center

Meetings underlined above are not hosted by UNL and registration must be made through the meeting sponsor: Green Expo - (402) 475-8873 (www.nebraskaturfgrass.com); NATA (402) 475-6282 (www.gonata.net).

Recertification in the following categories will not be offered via training. Exams must be taken to recertify in: 01a (Soil Fumigation), 02 (Ag Animal), 03 (Forest), 5S (Sewer Root)

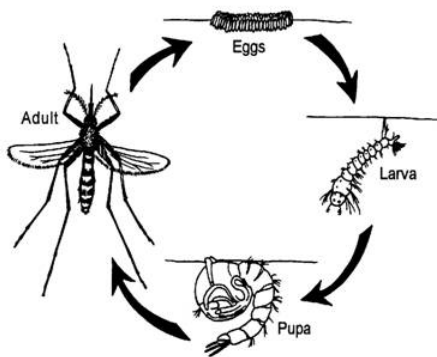
Please Post for Future Reference

Mosquito Vector Control/Public Health Certification

The Nebraska Pesticide Act requires all people responsible for controlling mosquitoes, on behalf of a community (an employee or other person), to be licensed in the Public Health Category for using any product for controlling mosquito adults or mosquito larvae.

During the summer of 2009, NDA conducted inspections at 92 communities in 21 counties to determine how many were conducting mosquito control, what equipment they were using, and whether or not they used their own employees or hired someone else to do the work.

Life Cycle of the Mosquito



Of the 92 communities inspected, 88 had an active mosquito control program for the 2009 season. Many of these were small communities which focused on using adulticides (for controlling mosquito adults), perhaps due to an unfamiliarity with IPM strategies such as monitoring and the use of larvicides (for controlling mosquito larvae). Not all communities had their own ULV equipment for applying adulticides. Sixty-four (73%) of the communities had their own employees making applications. The remaining 27% of the communities hired out-of-town applicators for their mosquito control.

At the time of the inspections, 82% of the applicators were properly licensed in the Public Health Category. Uncertified applicators were issued Notices of Certification Violation, which required them to

cease applications immediately. These people were instructed to take the necessary NDA exams to become properly licensed or to have their community hire someone who is properly certified and licensed.

A federal court decision, made this past January, will impact all mosquito control applications made to, over or near water anywhere in the U.S. as of April 2011. This court decision is designed to protect our waters and will likely raise the standards for licensing, recordkeeping, and the use of "best available technologies," such as using an IPM approach and having ULV equipment inspected and calibrated annually. Be watching for updates on this important topic. More information on types of licenses and certification opportunities can be found at <http://www.agr.ne.gov/division/bpi/pes/cert.htm>. Certification dates and locations are also listed on pages 3 and 4 in this newsletter. More information on the court decisions affecting aquatic pesticide applications can be found at http://cfpub.epa.gov/npdes/home.cfm?program_id=41, in the article below and in the Summer 2009 NDA newsletter (<http://www.agr.ne.gov/division/bpi/pstnx/news.htm>).

Aquatic Pesticides and Clean Water Act Discharge Permits

In January of 2009, the 6th Federal Circuit Court of Appeals vacated a regulation issued by the EPA, effectively classifying aquatic pesticides applied to, over or near water as pollutants. This court action reverses nearly 40 years of pesticide policy that kept pesticide regulation exclusively under FIFRA, and now allows the Clean Water Act authority to regulate aquatic pesticides.

While the court action doesn't take effect until April 10th, 2011, there are a number of important ramifications pesticide applicators need to understand. The ruling potentially has far-reaching impacts on Nebraskans. The types of pesticide applications the order covers include:

- Mosquito control
- Irrigation canal and supply ditch weed control
- Drainage ditch bank and shoulder weed and insect control
- Aquatic weed control in lakes, ponds and streams
- Invasive pest control in any aquatic habitat
- Forestry sites with streams under the canopy
- Lake or pond renovation

The Clean Water Act exempts agricultural storm water runoff and irrigation return flows from the rule, but almost any other instances of pesticides entering water are now classified as a discharge of a pollutant to waters of the United States, which, under the Clean Water Act, requires the discharger to obtain a National Pollution Discharge Elimination System permit (NPDES). NPDES permits are typically issued to water treatment plants, industrial facilities, and commercial manufacturing sites that have a single point where their water discharges are made. The addition of intentional pesticide applications to water has not been addressed previously, and state and federal regulators are struggling with how to implement the court order while also avoiding a bureaucratic nightmare that could have serious undesirable results.

The NDA Pesticide Program is participating on a national work group to iron out all the issues of the court order, and will continue to provide information to the pesticide application industry as it becomes available. This information will be released through newsletters such as this one, at applicator certification sessions, and through press releases as the April 2011 date approaches. NDA is also working closely with the NDEQ to craft a reasonable state regulation that will allow aquatic pesticide applications to continue without a significant additional regulatory burden on the part of the applicator. For more information, contact Tim Creger, NDA Pesticide Program Manager, at (402) 471-2394.

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Lincoln, NE 68509-4756