



Conservation

Climate Change and Environmental Protection Division
Environmental Assessment and Licensing Branch
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August 6, 2010

Mr. Taz Stuart
City Entomologist
Community Services Department
City of Winnipeg
1539 Waverly Street
Winnipeg MB R3T 4V7

Dear Mr. Stuart:

As we discussed, I am writing in response to your request to alter the City of Winnipeg's Pesticide Use Permit (Permit #2010052) dated July 28, 2010, and received by this office on July 30, 2010. Specifically, you ask for three clauses to be amended based on a July 21, 2010, document entitled "Mosquito Control Program Report" which was approved by the Winnipeg City Council.

The three proposed alterations are:

1. To reduce the buffer zone currently stipulated in the Pesticide Use Permit (PUP). Currently, the buffer zone is 100 metres.
2. To amend the minimum criterion for fogging from the current three (3) consecutive days of greater than 25 adult female nuisance mosquitoes in the New Jersey Light Traps to two (2) consecutive days.
3. To reduce the current public initial notice for impending fogging from 48 hours to 24 hours.

With respect to the requested reduction in the buffer zone width, you confirm in your letter that the literature and the City of Winnipeg's field testing support a 90 metre buffer zone to ensure that Malathion does not drift onto an anti-pesticide registrant's property from the rear of a fogging truck. I am advised that this was the basis for the City's original request to the province to establish a buffer zone of 100 metres (90 meters plus 10 more metres to be conservative).

As such, a reduction in the buffer zone to 90 metres seems a reasonable request given the cited improvements in the City's GPS equipment and the experience gained over the years in accurately adhering to a defined width. However, you have applied to reduce the buffer zone width down to 15 metres on either side of an anti-pesticide registrant's property. In order to properly assess the City's request to reduce the buffer zone to 15 metres, I request the following information from you:

- A summary of the buffer zone policies in other western provinces;
- A copy of the City's final report regarding the field testing results mentioned in your letter, including the method of conducting such tests;
- An update on the most recent literature review on the topic of buffer zones;
- Clarification of the term "reasonably" certain (i.e., probability, conditions affecting probability, etc.); and,
- Clarification of the term "directly treated" (i.e., does this mean drift is not considered, or other?).

Once I receive this information, the request concerning the buffer zone will be deemed a major alteration to the City of Winnipeg's 2010 Pesticide Use Permit. As such, the City will need to follow the Pesticide Regulation process for a new PUP application, including the requirement for a public advertisement fifteen days in advance of your submission for a new PUP. The decision regarding the 15 metre buffer zone will not be made until after the public notification period has ended. The current City PUP will not be affected while the new permit process occurs.

With respect to the request to reduce the minimum criterion for fogging from the current 3 consecutive days of greater than 25 adult female nuisance mosquitoes in traps to 2 days, please confirm that this change is in accordance with the American Mosquito Control Association's Best Practices. If not, please explain the deviation from this standard. Once this confirmation is obtained, this request could likely be approved as a minor alteration.

Finally, your request to reduce the initial notification time from 48 to 24 hours is approved as a minor alteration. Please specify this notification period on your 2011 PUP application.

Following receipt of the additional information required to properly assess the City's request for a 15 metre buffer zone, the branch will be placing the amendment application and supporting correspondence on the public registries in accordance with the Environment Act. If you have any questions, please don't hesitate to call me. I would also be available to meet with you to provide clarification of any of the items noted above. I can be reached at 945-7071.

Yours sincerely,



Tracey Braun, M.Sc.
Director
Environmental Assessment and Licensing Branch