F: GROUND WATER PROTECTION REGULATIONS & PERMIT CONDITIONS

Ground Water Protection Materials, Title 3, California Code of Regulations, Section 6800(a): Products containing the following active ingredients are considered groundwater protection materials: **Atrazine, Simazine, Bromacil, Diuron, Prometon, Bentazon, and Norflurazon**. Use of these materials in a Ground Water Protection Area (GWPA) is prohibited unless one of several management practices is designated on this permit and put in place by the permittee.

Using 6800(a) materials within a Groundwater Protection Area:

***** A Notice of Intent, 24 hours prior to use, is required for use of 6800(a) materials within a groundwater protection area.**

ROW. Engineered Rights-of-Way Within Groundwater Protection Areas (3CCR 6487.3): Use of pesticides registered for agricultural, outdoor industrial, and outdoor institutional use containing chemicals listed in section 6800(a) shall be prohibited on engineered rights-of-way in leaching or runoff groundwater protection areas unless one of the following management options can be met:

___ **ROW(a)** The property operator complies with one or more of the Runoff Management Practices, see Runoff Management Practices [for permit condition choices list: ER(a)-R1, ER(a)-R2, etc.]

___ **ROW(b)** Any runoff from the treated right-of-way shall pass through a non-crop fully vegetated area adjacent, and equal in area, to the treated area, or spread out onto an adjacent unenclosed fallow field that is at least 300 feet long and that will not be irrigated for 6 months following application, with full consideration of any plant back restrictions

___ **ROW(c)** The property operator complies with any permit issued pursuant to the storm water provisions of the federal Clean Water Act pertaining to the treated area: WDR/NPDES permit # _____ (Attach copy of WDR/NPDES permit.)

R. Runoff Groundwater Protection Areas (3CCR 6487.4): Use of pesticides registered for agricultural, outdoor industrial, and outdoor institutional use containing chemicals listed in section 6800 (a) shall be prohibited in runoff groundwater protection areas unless one of the following management practices can be met.

___ **R1.** Soil disturbance. Within seven (7) days before the pesticide is applied, the soil to be treated shall be disturbed by using a disc, harrow, rotary tiller or other mechanical method. This subsection does not apply to bentazon, and does not apply to the area to be treated that is immediately adjacent to the crop row and that does not exceed 33% of the distance between crop rows.

___ **R2.** Incorporation of the pesticide. Within 48 hours after the pesticide is applied, the pesticide shall be incorporated on at least 90% of the area treated; using a disc, harrow, rotary tiller, or other mechanical method, or by sprinkler or low flow irrigation, including chemigation if allowed by the label, using a minimum of ¼ inch of irrigation water and a maximum of either 1 inch or the maximum amount of irrigation water specified on the label, at application rates that do not cause surface water runoff from the treated property or to wells on the treated property. This subsection does not apply to bentazon, and does not apply to the area treated with other pesticides listed in section 6800(a) that is immediately adjacent to the crop row and that does not exceed 33% of the distance between crop rows.

___ **R3.** Band treatment. The pesticide shall be applied as a band treatment immediately adjacent to the crop row so that not more than 33% of the distance between rows is treated.

___ **R4.** Timing of application. The pesticide shall be applied between April 1 and July 31

___ **R5.** Retention of runoff on field. For 6 months following the application, the field shall be designed, by berms, levees, or non-draining circulation systems, to retain all irrigation runoff and all precipitation on, and drainage through, the field. The retention area on the field shall not have a percolation rate of more than 0.2 inches per hour (5 inches per 24 hours).

___ **R6.** Retention of runoff in a holding area off the field. For 6 months following the application, all runoff shall be channeled to a holding area off the application site, under the control of the property operator, that is designed to retain all irrigation runoff and all precipitation on, and drainage through, the treated field and all other areas draining into that holding area. The holding area shall not have a percolation rate of more than 0.2 inches per hour (5 inches per 24 hours).

___ **R7.** Runoff onto a fallow field. For 6 months following application, runoff shall be managed so that it runs off onto an adjacent unenclosed fallow field at least 300 feet long that is not irrigated for 6 months after application, with full consideration of any plant back restrictions.

___ **R8.** Recycling of runoff. For six months following the application, runoff collected on the treated site in an excavated retention area that has a percolation rate of greater than 0.2 inches per hour shall be completely recycled, every 24 hours, onto the treated site, neighboring land under the control of the property operator, or neighboring land with the consent of the operator of the neighboring land. (Alternative approved by the Director, DPR – see ENF 2005-006)

___ **R9.** Runoff onto adjacent land. For six months following application, runoff water from the tops and outer sides of canal banks and rights of way, within runoff GWPAs, shall move offsite as overland flow onto adjacent land, at least equal in area to the treated area, where it infiltrates into the soil with no chance of flow into structures such as dry wells, or ditches or excavated retention areas with percolation rates of greater than 0.2 inches per hour. "Overland flow" is the movement of a thin film of water before the water collects into ditches, creeks, or streams. (Alternative approved by the Director, DPR – see ENF 2005-006)

L. Leaching Groundwater Protection Areas (3CCR 6487.5): Use of pesticides registered for agricultural, outdoor industrial, and outdoor institutional use containing chemicals listed in section 6800(a) shall be prohibited in leaching groundwater protection areas unless any one of the following management practices can be met.

___ **L1.** Irrigation water shall not be applied for 6 months following the application of the pesticide.

___ **L2.** The permittee shall apply the pesticide to the planting bed or the berm above the level of irrigation water in the furrow or basin and the water level shall remain at or below that level for 6 months following application of the pesticide.

___ **L3.** Irrigation shall be managed so that the ratio of the amount of irrigation water applied divided by the net irrigation requirement is 1.33 or less for 6 months following application of the pesticide.

C. Approved Alternative Management Practices

___**C1.** Band applications to **citrus** trees may be extended to the drip line of the tree, even if the band width exceeds the 33% of the distance between the tree rows currently allowed.

___**C2.** Soil in a **citrus** grove does not need to be disturbed prior to application from the drip line of the tree to the row of the same tree, even if that distance exceeds 33% of the distance between tree rows.

___**C3.** The pesticide does not need to be incorporated in **citrus** from the drip line of the tree to the row of the same tree, even if that distance exceeds 33% of the distance between tree rows.

___**C4.** The pesticide may be applied to the tops and outer sides of canal banks and rights-of-way provided that runoff moves off the treated area as overland flow onto adjacent land, at least equal in area to the treated area, where it infiltrates into the soil with no chance of flow into specified structures.

___**C5.** The pesticide may be applied where irrigation and rainfall runoff from the treated site is stored on the treated site in an excavated retention area with a percolation rate of greater than 0.2 inches per hour if the runoff is completely recycled every 24 hours from the retention area onto the treated site or neighboring land under certain circumstances.

A. Alternative Management Practice or Pesticide Approved by the Director:

___ **A1.** Director approved use of alternative management practices that are based on scientific data demonstrating their effectiveness in reducing movement of pesticides to groundwater. DPR ENF #_____ for crop/commodity _____. Please see site specific management practices.

___ **A2.** Director approved interim use of 6800(a) material _____ for crop/commodity _____, within a groundwater protection area, for period not to exceed 3 yrs. Public Notice Start Date_____ Expiration Date_____. Please see site specific management practices.

STANISLAUS COUNTY
GROUNDWATER PROTECTION AREA
SITE SPECIFIC PERMIT CONDITIONS

I agree to comply with the following permit conditions for use of 6800(a) materials within a groundwater protection area.

Permittee Name (Print): _____ Permit No: _____ Date: _____
Permittee Signature: _____ Issuing Inspector Signature: _____

Sec	Twn	Rng	Site ID	Commodity	Acres	Management Practices to be used

* If an approved alternate management practice will be used, please list ENF letter number or public notice for that site in the management practice box.